

NATIONAL FIRE PLAN

HEARING BEFORE THE COMMITTEE ON ENERGY AND NATURAL RESOURCES UNITED STATES SENATE ONE HUNDRED SEVENTH CONGRESS

SECOND SESSION

TO RECEIVE TESTIMONY ON THE ADMINISTRATION'S PLANS TO
REQUEST ADDITIONAL FUNDS FOR WILDLAND FIREFIGHTING AND
FOREST RESTORATION AS WELL AS ONGOING IMPLEMENTATION OF
THE NATIONAL FIRE PLAN

JULY 16, 2002



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NATIONAL FIRE PLAN

TUESDAY, JULY 16, 2002

U.S. SENATE,
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Washington, DC.

The committee met, pursuant to notice, at 2:30 p.m., in room SD-366, Dirksen Senate Office Building, Hon. Jeff Bingaman, chairman, presiding.

OPENING STATEMENT OF HON. JEFF BINGAMAN, U.S. SENATOR FROM NEW MEXICO

The CHAIRMAN. This hearing gives us a chance to hear from various officials in the Government as well as others—Governor Martz is here first—on this very important issue of the need for additional funds to pay for emergency firefighting and for forest restoration costs in the West.

Senator Kyl and I, along with nine other Senators, on June 25, wrote a letter to the Office of Management and Budget urging that they immediately request emergency funds to pay for firefighting and burned area restoration. We have not received any reply, but I am glad we will have the chance to ask the Deputy Director of OMB today about this.

I think the facts are clear. We have a terrible fire season, probably the worst in history in the West, given the drought conditions. We all should have expected this, and many of us did expect at least some part of it. 3.2 million acres have burned this year, primarily in the Southwest. And we have not even reached the height of the fire season in the northern part of the country.

The Forest Service and the Department of the Interior have exhausted their available funds to pay for firefighting and millions of dollars are needed now.

Some contend that the sort of business-as-usual practice of borrowing from other agency funds to pay for this firefighting activity is adequate to the occasion. I strongly disagree with that.

First, while officials here in Washington assure us that no programs are negatively impacted when we engage in this borrowing practice, the communities in my State and some other States that have been in touch with us report that grants and contracts that were ready to be awarded are now being put on hold in order to pay for firefighting.

This even includes grants and contracts for proactive restoration projects to reduce future fire risks. One example is in my home State. Funds to begin work on the Santa Fe municipal watershed project are now being held up in order to pay for firefighting. The

purpose of the project is to reduce the fuels to prevent a catastrophic wild fire that could harm the watershed. This is the source for 40 percent of Santa Fe's water.

Earlier this year, the agency allocated \$400,000 toward the project. More recently, the Forest Service agreed to add an additional \$400,000. I was very glad to get that news, but unfortunately now we are told that the funds have been pulled back in order to pay for firefighting.

If reimbursement does not arrive until the end of October, it will be too late to complete any of this work this fiscal year.

Obviously, postponing, in some cases indefinitely, needed forest restoration projects directly contradicts the National Fire Plan's long-term approach. That approach is that in order to decrease the number of catastrophic wildland fires, we need to restore the national forest and public lands through hazardous fuels reduction, burned area restoration and rehabilitation.

Also the Forest Service appears to have a fairly poor track record with regard to repaying these accounts once the funds are taken out of them. Last year, for example, the Forest Service borrowed millions of dollars from its Hazardous Fuels Reduction Account to pay for emergency firefighting, but then did not fully return the funds to that account after being reimbursed by the Congress.

During the committee's last hearing on the National Fire Plan approximately 2 months ago, when I asked the Forest Service witness about this example, he replied that the situation does bring up concerns in the long term but they had to pay for firefighting costs.

Obviously, the supplemental appropriation bill that is now still being debated in conference provides the most expedient manner in which to obtain these firefighting funds. However, as far as I can tell, there is no request from the administration to include any funds in that bill for this purpose.

As I indicated before, this is a problem that I think we have been dealing with now for a couple of years. For the last two budget cycles, the administration's budget request to us has not contained the funds that were required for the National Fire Plan. And I see the current reluctance or unwillingness of the administration to move ahead and request these additional funds as a major problem as well.

Recently, the Western Governors Association sent a letter to Congress urging full funding of the National Fire Plan at the fiscal year 2000 funding levels. I am very pleased today that we have the Governor of Montana, Judy Martz, here to speak on behalf of the Western Governors. She will be able to give us additional insights on these issues from the perspective of the governors.

I want to thank all of the witnesses for being here.

And before I call on the witnesses, I will see if any of my colleagues have statements they want to make.

Senator Thomas, did you have a statement?

**STATEMENT OF HON. CRAIG THOMAS, U.S. SENATOR
FROM WYOMING**

Senator THOMAS. Thank you, Mr. Chairman. Just very briefly: I am pleased that you are having this committee meeting. I think it

is important that we talk about this issue. Obviously, all of us are very much impacted with respect to it. It is a real tough thing on money.

The 2000 season was one of the most challenging ones. Since that time, we spent \$6.6 billion on fire-related programs. Total suppression costs for this year, I am told, is close to \$1 billion, at \$966 million. So we do have some real questions as to where that money comes from.

And, of course, mingled with that is also what we do particularly from the Department, what we do about suppression and protection and the roadless areas and what we can do about thinning and avoiding. At the same time, obviously, the fires themselves are the prime issue right now.

So I hope we can get a real look at what the Department's plan is with regard to funding and then with regard to the future in seeking to avoid as much as we can of this fire.

Thank you, sir.

The CHAIRMAN. Thank you.

Senator Wyden chairs the subcommittee that oversees these forest issues. Senator Wyden.

**STATEMENT OF HON. RON WYDEN, U.S. SENATOR
FROM OREGON**

Senator WYDEN. Thank you, Mr. Chairman.

Mr. Chairman and colleagues, it is late July, and I am fearful that without quick and concrete action, that the one thing environmental community and the Bush administration can agree on, I believe, will happen: A big swath of the West is going to be an inferno come August.

I would like to lay out briefly what I think the three key elements of this kind of effort ought to be. First is: Money is needed immediately for projects on the ground, in the forests that are going to make our forests more fire resistant. I believe that this can be accomplished again in a bipartisan way that is consistent with the environmental laws.

Second, we obviously need new money immediately for fire-fighters and equipment. But what is important here is it cannot be taken from the backs of rural communities who rely on the Forest Service for key projects like fire prevention, weed treatment, and other priorities in the rural West.

Finally, the money has to be targeted where those are most at risk. This has not been done in the past, and in my view here, we ought to focus on, for example, areas where homeowners and the woods intersect, and those forests and grassy areas where fires have struck again and again.

There are other longer-term approaches that I think we ought to be considering. I am going to ask some questions today, Mr. Chairman and colleagues, about ways in which we can mobilize homeowners to take some new steps to put in place fire retardant materials. That is something we can look at further down the road.

But what is really important is that we can get the environmental community and the Bush administration together behind quick and concrete steps, or else we are going to face, in my view, enormous problems throughout the West. I see a lot of our col-

leagues here in the West, and I know we can tackle these issues in a bipartisan way. I thank you.

The CHAIRMAN. Thank you.

Senator Burns, did you have a comment?

**STATEMENT OF HON. CONRAD BURNS, U.S. SENATOR
FROM MONTANA**

Senator BURNS. Mr. Chairman, thank you for this hearing.

You know, we were throwing around some figures. Now, the Forest Service, the new figure is that we are going to need about \$1.7 billion now. And we could set about—we could talk about the cause of this thing, these fires in the West. But keep in mind: They are all, or most of them are burning in areas where the Forest Service is in charge, where either by some way or other, we cannot thin, we cannot manage the forest.

You see private forests out there. You know, they are not in the same shape. And it was pointed out to me the other day, where they allow grazing, a little old thing called grazing, the grazers will pay for the land. Sheep will take out the underbrush and the old dead grass. And that is where they start, folks.

In other words, we have seen where fires burnt right up to the land where they allowed grazing and forest management, and it stops right there. Now, one of these days, America has got to know and understand just exactly what is at stake here.

There is not much we can do after the fire starts. But we should be aiming our effort toward next year, right now in a preventative way, and to change some of these policies that is just good common sense, and get out of this, get out of this thing of promoting ideas that are not worth much. Either that or we have got to buy somebody a fiddle while this place—and just watch it burn.

So it is going to take money. And I appreciate my Governor being here from the State of Montana, who went through a terrible fire season in 2000; and we are on track to make 2000 look small.

Thank you very much.

The CHAIRMAN. Thank you very much.

Senator Cantwell.

**STATEMENT OF HON. MARIA CANTWELL, U.S. SENATOR
FROM WASHINGTON**

Senator CANTWELL. Thank you, Mr. Chairman. Thank you for having this hearing. I would just like to say that obviously we in Washington State understand the threats that have been posed by these fires.

Last year, we suffered through a record breaking drought. It was actually our worst drought on record since 1977. And that obviously contributed to a devastating fire season. So we do watch with great empathy as those States of Colorado and Arizona are dealing with the same kind of challenges.

But we are also concerned with the ongoing readiness and fiscal health of the Federal Firefighting Agencies. In the words of the National Interagency Fire Center, the worst of the Western fire season is yet to come, and already the number of acres burned has nearly tripled the 10-year average.

About 80 percent of the West's large fires generally occur in July and August. And we are fast experiencing the very high extreme conditions in the very eastern parts of my State.

So, Mr. Chairman, like my colleagues on this committee, I am obviously concerned about the news that the record-breaking fires in Arizona and Colorado are leading to significant cost overruns within the Forest Service and Federal Department of the Interior for fiscal year 2003, and that these agencies have to borrow money then from other programs in order to protect these various communities throughout our Nation.

I am particularly concerned that funding that would otherwise go to fuel reduction and fire prevention are now being used then to put out the fires. And so I want to make sure that we focus our attention on, "How do we get these programs funded," so that we can actually reduce the hazardous fuel and not spend billions of more dollars on simply fighting the fires year after year.

I will look forward to hearing the testimony of our various witnesses today.

The CHAIRMAN. Senator Smith.

STATEMENT OF HON. GORDON SMITH, U.S. SENATOR FROM OREGON

Senator SMITH. Thank you, Mr. Chairman, for holding today's hearing on the National Fire Plan.

In the ongoing battle against wild fire, continuing this dialogue remains, I believe, is one of the most important tasks of this committee, and we must not forget that there are presently over 17,000 brave men and women on the ground putting their lives on the line to defend society's values against the increasingly destructive forces of mismanaged forests.

Mr. Chairman, today I come to this committee and to this hearing acknowledging that my State of Oregon now rejoins a solemn fraternity of States harrowed by the destruction of wild fire. And after an acceleration of fires over the weekend, 100,000 acres of Oregon are now burning. And my State is now the site of mass evacuations, Red Cross shelters, property and wildlife loss and billows of smoke towering 15,000 feet into the air.

There is nothing fundamentally wrong with the National Fire Plan or the administration's good faith attempt to implement it within a very rigid fiscal and regulatory framework. The immediate issue is clearly one of how to meet the safety and suppression needs of this year's fire season, which has made a stark turn for the worse.

I intend to work with all of my colleagues as Senator Wyden has suggested, and the full Senate, and to do it in a bipartisan way, if we can, however possible. In the long run, however, if we are worried about the cost of incremental destruction to our Federal forest, the only relevant issue is determining what forest management actions can be best, or can best reduce fire risks.

We can and must debate the catastrophic blazes currently underway, as well as return the forest to less intense and more manageable fires that will cost far less to suppress or contain. As such, I am hopeful that none of today's witnesses will claim that the solu-

tion of the wild fire problem lies in better proofing homes or selective thinning, only in urban wildland interface.

I am afraid this theory is quickly being dispelled on the ground. The Eyerly fire in Central Oregon, for example, started as a 212-acre fire. High winds blew it across the Metolius River and into a roadless area. It was so unroaded, in fact, that firefighters had to be boated into the area.

It was here that the fire picked up enough force to explode to 17,000 acres within a few days, causing the evacuation of hundreds of homes and the ultimate destruction of many of them.

The erratic path of this fire, which continues as we speak, has little to do with whether or not residents in the area mowed their lawns or pruned their hedges. Catastrophic wild fires like this do not begin and they cannot be stopped in people's backyards.

They are too hot, too fast, too unstoppable, and not because folks are living too close to the forest, but because these fires build up their uncontrollable forces in mismanaged back country areas and charge like runaway trains into our communities.

In Oregon and across the West, there are many instances of fire beginning, being fueled in, or firefighter access being blocked by areas where management is severely restricted, such as a roadless or wilderness area.

As the sponsor of legislation to create the fourth largest wilderness area in Oregon, I know that wilderness areas have a unique value in Oregon's landscape. But the value of wilderness or any other protective designation is meaningful only in the context of a whole forest that is meeting its multiple use management requirements, providing for wildlife, for recreation and for local economies.

This year's fires remind us how thin the line can be between this protection of forest resources and their vulnerability to devastating fire and disease.

Lastly, I want to mention that the wild fire issue does not end when the current wild fires are reduced to smolders. These fires will leave hundreds of thousands of acres of salvageable wood. The simple choice would be between letting this—the timber stand and rot, or being carefully salvaged as part of a restoration effort.

Yet, this year's examples of the Bitterroot salvage in Montana and the Hash Rock salvage in Oregon demonstrate that Federal agencies do not have that flexibility.

In the absence of sound and peer reviewed science, the agencies remain hostage to the protest power and bureaucratic tricks of extremists. It is high time that Congress looks at new approaches that ensure targeted and reasonable salvage value of high risk trees remain a viable tool for our forest managers.

Mr. Chairman, thank you, again, for holding today's hearing. I hope that the spirit of this discussion can be carried over to parallel issues such as salvage and biomass removal where innovation and flexibility will undoubtedly yield manifest improvements in forest health, if only given a chance.

The CHAIRMAN. Senator Craig.

**STATEMENT OF HON. LARRY E. CRAIG, U.S. SENATOR
FROM IDAHO**

Senator CRAIG. Mr. Chairman, thank you for your tolerance in allowing us to make these statements. I think you hear the passion and the frustration that we are expressing when we see prime wildlife habitat forest go up in smoke, opportunity lost, and communities devastated.

I am pleased that Governor Martz is with us today from my neighboring State of Montana. I know her message will be clear and sound as it relates to land management.

I want to begin with a short description of what we have seen so far this year. And my colleague to my left, but very seldom to my left, Senator Kyl is going to probably bring more life to that photo than any of us would want to think about, Mr. Chairman.

I flew across Louisiana, or out of Louisiana, across Texas and up over New Mexico at the height of that fire. And at 35,000 feet, the pilot commented that we were in smoke from the time we left northern Texas until the time we touched down in the State of Colorado. And he is a seasoned pilot for Delta Airlines, had never flown in that kind of a circumstance before.

It is Arizona burning, New Mexico, soon southern California, and Colorado is already burning. As I crossed the Tetons Friday into Idaho and I looked south down the Tetons, I was right over the top of the Grand, I saw a large plume coming up off the border of Wyoming and Utah as a large complex fire built in that area.

Record temperatures have been recorded and are being recorded across the West. Fifty locations have recorded temperatures as of last Wednesday, seventy on Thursday, ninety-four on Friday, all of these temperatures at or at record highs.

Eight towns, including my Capitol City of Boise, experienced an all-time high this past week. What was once ready to burn in the Southwest, has the indicators as now moving north up the Rockies and across the Bitterroots, as our forests become prime targets of mother nature's wrath.

As of yesterday, 3.4 million acres have burned. Now, that is double the 10-year average some of our colleagues have spoken to it.

The horrible pace of the 2000 fire season at 8.4 million, and that is the year that Montana burned and Idaho lost nearly 1 million acres, but we did not lose homes that year. Ours was mostly just in the wilderness, just in prime habitat, just in beautiful watershed. And because no homes went up, not much was made of the nearly 1 million acres that was lost in Idaho.

The number of fires that had been burning in the dead and downed timber and the bug-killed timber is striking. Even more depressing is the number of fires burning in the roadless and the wilderness areas. It is those same roadless areas that we could be fighting over on the Senate floor in just a few days. My staff has identified at least ten fires that have burned into or out of roadless areas this year.

Some of you will say it is no big deal if these roadless areas burn. I ask each of you to remind yourselves what the Clinton administration wanted to protect these areas from; this was from the destruction of logging and road building. It was for the over—or it was from the overuse of the public.

Now, ask yourselves how many decades will it take for these areas to begin functioning once again as a part of the ecosystem, as prime wildlife habitat, as something that is a producer and a contributor to the watersheds of the upper reaches of our great rivers, to provide cool and clear water to the downstream needs. Somehow all of it just seems damned wrongheaded. And, yet, we go on talking about it as if it were an academic pursuit.

Then I want you to think about the number of times we have seen the massive winds-driven ground fires drop to the ground and amble along even in a windstorm where man was allowed to manage and thin and do some cleaning. And when it comes to a shade break, some of those fires stopped altogether.

Yes, we ought to think about that just a little bit. We ought to think about thinning. We ought to think about preserving that land for wildlife and watershed habitat, and, yes, oh, how terribly would I suggest that maybe an occasional tree ought to have some commercial value in the thinning process.

It is depressing to think that the entire management scheme we have allowed to develop over the decade could go so wrong in such a short time. But, Mr. Chairman, it has not been a short time. In the early eighties, some of the best scientists in the world gathered in Sun Valley, Idaho at a conference to examine the health of the Great Basin forests of the West. And in the early eighties, they concluded then that if we did not participate in some degree of active management, they said at that time in that study that the dead and dying forests of the West within a decade or so would be consumed or would have the potential of being consumed in massive wild fires.

Many have been tempted to point fingers and blame each other for this debacle. Songs have been written and are now being sung about those who appeal and litigate almost every project designed to be mechanically thinned on our public forests.

The nattering nabobs of negativism will spend their time saying there really is nothing we can do about the situation, that it is nature taking her course, and we should get out of the way. Well, we do not have the time or the luxury today, Mr. Chairman, to spend hours worrying about who caused this forest management failure; nor do we have time to argue about which organization is to blame. This season ought to be teaching us that we have to use all of our forest management tools, not just prescribed burning, to go ahead to solve the problem.

I urge the administration to immediately release its cohesive and comprehensive fire plan, fire management plan. I also expect OMB and this administration to come forward with a fresh approach to funding these problems.

We ought not be struggling over how to fund putting out a fire at this moment, while they are burning wildly across the West. We no longer have the luxury of submitting funding requests that do not reflect our fire suppression needs or playing the emergency supplemental game.

I challenge the Forest Service, the BLM and the OMB to develop a plan that gets us out of this annual exercise of emergency supplemental funding at the expense of other resource programs.

I also expect this committee or I would hope we could expect this committee to develop a public land policy that will move us toward the time when low intensity fires are a normal event within our forests as they should be, and as they were 100 years ago.

This will protect our forests, our wilderness areas, and those zones of minimal management and keep them safe from the risk of catastrophic or cataclysmic fires. We owe this to the forest, to the American public and to future generations, and to the creepy crawlers and the sweet little things that inhabit the shade of our beautiful forests.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much.

We have three Senators who have not yet spoken. I would urge that they give us the short version of their opening statements, if possible.

Senator Johnson.

**STATEMENT OF HON. TIM JOHNSON, U.S. SENATOR
FROM SOUTH DAKOTA**

Senator JOHNSON. I will give a very abbreviated version, and submit my full statement for the record, Mr. Chairman. I want to commend you for calling today's timely hearing to examine the implementation of the National Fire Plan, receive testimony about the Bush administration's plans to request additional wildland suppression and forest restoration funding.

Reports that the Forest Service has exhausted all available fiscal 2002 fire suppression funds and is now borrowing from non wildland suppression accounts causes me great concern. I welcome Undersecretary Mark Rey here who just recently visited our State of South Dakota at a time when we had a significant fire in the Grizzly Gulch area of the Northern Black Hills.

On June 25, I joined several of my colleagues in this community of writing to the administration, inquiring how the administration intends to replenish the wildland suppression account. I am very concerned that we will see a halt to a menu of non-forest firefighting programs in order to pay for firefighting costs, which could delay crucial forest rehabilitation work, jeopardize the timber sale program and defer funds for the purchase of important inholdings.

As Mr. Rey observed, no doubt our Black Hills forest is surrounded by a great deal of human interface. Some of the strategies that may work in other areas would not work there, and it is going to be critically important that, as we still have a significant fire season ahead of us, that our Forest Service have the resources clearly for firefighting, but also that it not come out of the hide unduly of other needed forest work.

These problems have been with us literally for decades. I know Mr. Rey has done scholarly work on fires of a century ago. The fire in South Dakota initiated on private land, and was largely on private land and BLM land.

It did eventually get into Forest Service land. Much of the land that burned was, in fact, thinned. But we all know in the long run that we need to get fuel off the floor of our forests in order to at least reduce the likelihood of fires or reduce the likelihood that they become explosive and non-controllable.

I look forward to the testimony today and insights that the administration might share with us about how we can work together to protect life, property and preserve the health of our national forests.

Thank you.

[The prepared statement of Senator Johnson follows:]

PREPARED STATEMENT OF HON. TIM JOHNSON, U.S. SENATOR FROM SOUTH DAKOTA

Thank you, Chairman Bingaman, for calling today's timely hearing to examine the implementation of the National Fire Plan and to receive testimony about the Administration's plans to request additional wildland suppression and forest restoration funding. The foremost concern I have is ensuring that the U.S. Forest Service and other agencies have the necessary capability to protect the lives and property of those who work and live throughout the western United States. Therefore, reports that the Forest Service has exhausted all available Fiscal Year 2002 fire suppression funds, and is now borrowing from non-wildland suppression accounts leads me to question the focus of the Administration's firefighting strategy. I am eager to learn from Undersecretary Mark Rey and officials from the Office of Management and Budget what the Administration plans to propose to carry out the Forest Services public safety responsibilities.

On June 25, 2002, I joined several of my colleagues on this committee in writing to the Bush Administration inquiring how the Administration intends to replenish the Forest Service's wildland suppression account. We also requested the Forest Service not revert to the practice of borrowing money from other agency accounts to pay for firefighting. The answer to our request was made clear last week by a Forest Service directive to Regional Foresters ordering a halt to a menu of non-forest firefighting programs in order to pay for firefighting costs. This is unfortunate and will lead to long-term negative consequences.

In South Dakota, where a large fire recently forced the evacuation of two Black Hill communities, the Administration's decision to swap accounts will delay crucial forest rehabilitation work, jeopardize the timber sale program, and defer funds for the purchase of important inholdings.

Let me explain a real-life example of how a lack of additional emergency forest firefighting funding will negatively impact South Dakota and heighten fire risk: As Undersecretary Mark Rey fully appreciates—Mr. Rey recently toured the Black Hills—the Black Hills National Forest (BHNF) is surrounded by a patch-work of hundreds of thousands of privately-owned acres. Under the leadership of the Forest Supervisor, the BHNF has developed a plan to purchase private inholdings from willing sellers to incorporate into the National Forest system. The acquisition of these tracts would add valuable land to the BHNF and prevent future development that would make forest management and firefighting efforts more difficult. Firefighting is particularly challenging in the Black Hills due to the concentration of private inholdings, many of which are undergoing new home construction in the forest. Early this month, a forest fire that started on private land burned 11,000 acres forcing the evacuation of the towns of Lead and Deadwood, South Dakota. In fact, the majority of burned land was privately owned, destroying seven residences, forcing the evacuation of 15,000 tourists, but thankfully causing no deaths or injuries. Ongoing efforts to purchase inholdings will be brought to a standstill if the Bush Administration does not request additional firefighting funds. The directive from Forest Service is clear, ordering Forest Supervisors to “not obligate funds for execution of any land acquisition or forest legacy projects.” The practice of robbing Peter to pay Paul will result in National Forests prone to fire and weaken efforts to safeguard the public.

Forest fires are natural disasters that demand leadership not bureaucratic accounting gimmicks. I again ask the Bush Administration to support additional emergency funds for wildland firefighting and forest restoration.

Mr. Chairman, I appreciate your leadership on this issue and I look forward to working in a bipartisan manner to secure additional wildland suppression funding.

The CHAIRMAN. Senator Kyl.

**STATEMENT OF HON. JON KYL, U.S. SENATOR
FROM ARIZONA**

Senator KYL. Thank you, Mr. Chairman. I commend you for holding this hearing. It is both timely and important.

I have or I find myself in, I think, total agreement with everything that has been said on both sides of the dais here, which should tell our friends from the administration something about our bipartisan commitment to trying to resolve these problems and work with the administration.

I especially appreciate the comments that Senator Smith made, which totally—and as well as Senator Craig, which very much reflect my feelings about this.

I appreciate Secretary Rey being here today. I know he has been working very hard with all of us to try to get this job done, and Governor Martz.

I also will want to give a little fuller introduction to or acknowledge the presence of an Arizonan here, who is going to be testifying on a subsequent panel, but Dr. Wally Covington of Northern Arizona University is one of the pioneers in the management technique that has gained, I think, virtual acceptance among all people in the scientific community about how to treat our forests. And I am very much looking forward to hearing from him about how we should be treating our forests in the future to both prevent the kind of fires that have occurred here and, at a minimum, to ameliorate their effect.

To the specific issue of trying to get some funding to replenish the Forest Service as well as BIA and BLM funding accounts, Mr. Chairman, I am looking forward to the testimony of the OMB. And I am very much a conservative budget hawk, as the Director of OMB knows, but we can also be “penny wise and pound foolish” in the way that we deal with these accounts.

As the Senator from South Dakota said a moment ago, we are going to have to—we are already borrowing from other accounts. And there is always a cost to borrowing, and if we can, we should not have to pay that cost.

That cost will be both losses of some programs. After all, if we agree that we had a good budget for the year 2002, and we are now not going to be able to spend some of the money in that budget on the important things that we had established as priority programs, clearly we will be the losers; and the users of our public lands will be the losers.

But that cost also could be directly related to the needs to restore our forests. We could get into a situation, for example, where money that is borrowed is not available for developing new projects, which can reduce fuels, where personnel cutbacks would result in fewer personnel being available to do the work to get these new projects up.

We should not be waiting until some time after October 1st to get these new projects up. We should be doing them now. And I have heard the comment that, “Well, we do not have enough personnel, because we are busy fighting the fires.”

That is where this robbing Peter to pay Paul that Senator Johnson was talking about hurts us. We need to be able to do both, because prevention will save a lot of money and if we just decide that

we do not have the time or the energy or the money right now or personnel to do the prevention work, the fuels management work because we are too busy fighting the fires, we are always going to be behind.

We need to get ahead of this curve and not constantly be trying to catch up. So even though we may not have dipped into some of these accounts yet, it is inevitable. And if we do not restore the funding now, it is not going to be available in the August and September time frame when it is going to be needed.

Finally, Mr. Chairman, I am going to be very interested in following up on something Senator Smith said, and that is to ensure that in this year's appropriations bills we do not tie the hands of the Forest Service and prevent them from exercising flexibility within their fire plan account.

Right now, we mandate that 70 percent of the funding be for urban interface, and I think while all of us want to protect homes, that is almost a defeatist strategy, because clearly we are interested in the health of the entire forest. And what it is saying is that we just are not willing to set the priority to develop a healthy forest. All we have the money for is to try to create a fire break around our suburbs and our cabins. That is not enough.

Not only does that not deal with the huge amount of acreage in the interior of our forests that needs to be brought back to a healthy condition, but it is even not effective.

The forest that you see on this photograph here—I do not know the elevation or the altitude that was taken from—but that fire, on the Fort Apache Indian Reservation, went beyond the boundaries of the reservation and ended up burning an area about three-fourths the size of the State of Rhode Island. This year alone in Arizona we have burnt forests the size of the State of Rhode Island. And that one fire was three-fourths that size.

It burned so hot, because a lot of the area had not been treated and because of the dry conditions, that it literally created the kind of mushroom cloud that you saw following the detonation of atomic bombs, where the crown or the super heating of the crowns explodes the crowns into fire, and the flames are 300 feet high in the air.

It sucks more and more oxygen into this heat, this superheated plume that goes up in the air until it finally hits about 20,000 feet and then ices over and eventually collapses, then pushing down this column of cinders and ash and red hot material, often 2 or 3 miles in every direction, jumping any kind of 100-foot buffer that has been built around a home or a suburb.

So we cannot just focus on urban interfaces, is my point. But if we are interested in the health of the forest, instead of just fire prevention, we would not ignore the rest of the forest in any event. So I am very interested in hearing the testimony of all of our witnesses.

Again, I very much appreciate the support that my colleagues have shown with respect to the devastation that has occurred in Arizona. We had one community where 30,000 people had to be evacuated for about a 2-week period. And that is the seriousness of what we are facing here.

Thank you again, Mr. Chairman, for holding this hearing.

And, again, thank you to my colleagues for the support that they have shown to us.

The CHAIRMAN. Senator Murkowski.

**STATEMENT OF HON. FRANK H. MURKOWSKI, U.S. SENATOR
FROM ALASKA**

Senator MURKOWSKI. Thank you very much.

Let me also welcome the Governor of the State of Montana. A couple of years ago, I went out with Senator Burns, and you had some disastrous fires at that time, and we were kind of reliving what went wrong and why the Forest Service could not react and why the fire chiefs on the scene could not make decisions.

And at that time, we came away with an awful lot of enthusiasm: We were going to turn things around. We were going to give the people on the scene the authority.

I recall in one particular instance, it was a question of whether they could move a Cat, a Caterpillar tractor across a creek to fight the fire on the other side what ultimately went into Ted Turner's property. And he would not allow any mechanized equipment. And I mean it just turned into a bureaucratic nightmare, where there was no accountability. And we swore that we would come back and change it.

Well, we did not. We are still here with a situation of no accountability. We are still here with the environmental community filing suits against progressive actions to try and bring corrections.

I am told by the GAO report on appeals and legislation that there were considerable arguments made, as well as the Forest Service response that 48 percent of the National Fire Plan, mechanical harvesting projects, were appealed. So there you go; half of them were appealed.

Well, we can fight over whether or not to count the prescribed burns when assessing appeals, but the bottom line is: We will not get ahead of this forest health crisis unless we utilize some harvesting to reduce the fuels before we burn those stands.

Now, let me show you something else, because there is an immediate association here that we have got a problem with fire. In my State we have a problem with infestations, spruce bark beetle infestation.

If you look at that particular chart, it shows the Kenai Peninsula, mortality 1989 to 2000. There are roughly 800,000 acres in the red of spruce, white spruce that have been infested with spruce bark beetle. Now, most of that is on Federal land. There is 130,000 acres on Fish, U.S. Fish and Wildlife land as well.

The point is: There is the same constriction.

Put the other chart down please, because I think it shows a little better.

The reality, you have got, you know, across from Anchorage and you have got Seward down to the left, but most of it is in the Kenai Soldotna area down onto Homer in the Homer spit.

And it simply shows an inability of the agencies to manage, if you will, what suggests good forest health practices, which is: You remove it as soon as you detect it. You do not allow it to simply let nature take its course, which has occurred here.

It has been a lack of decision making by those who have the greatest degree of knowledge on what constitutes forest health. You do not do it by going to a town hall meeting and making a decision there. You can talk about it, but you go to the experts, the people who have spent their lifetime and developed their reputation in areas of knowledge of what to do about it.

To further complicate this particular situation in the Kenai is what happens to the timber when it is standing dead; why, the likelihood of a fire is extraordinary and it is very likely that it will occur. And the homes and residences and so forth that would be wiped out obviously suggests that we have got a constriction, an inability of the agencies to react on the basis of what is good for the forest health based on the appeal process and some of the environmentalists.

Now, I am going to conclude with what is so obvious that one has to ask why it is not done. And that conclusion is based on the reality of what happens in private force, vis-à-vis public force.

I am going to read a little article that appeared in *The Washington Times*, July 15, Mike Branch, and just one paragraph.

"The reason our land," meaning private land, "does not burn like public land is we actually manage the forest."

It sounds rather simple, does it not?

"We manage them like they are an investment, because they are an investment. Not just an investment of dollars but of blood, sweat and tears. Not just for us, but for the countless species who live in the forest, for those that have homes, for those communities who depend on forests for clean drinking water, clean air, recreational opportunities. These are the very values that have gone up in smoke," on public lands.

Well, if we are open enough to recognize the intensity of management associated with private force, why cannot we, for heaven's sake, supply the same strategy on public lands, manage the land? You manage the land by giving the responsibility to those that have the expertise. Now, I will conclude with a little shot at our environmental friends, because I think it is a fair assessment.

"Environmental activists have worked long and hard and successfully to marginalize industry in the debate on the forest. They do not want industry or commercial activity involved in finding a solution to the forest health crisis because, let us face it, they just do not like commercial activities. But like us or not, our forests don't burn, not like public forests do. Is it because we are better at fighting fires? Is it because our trees are inflammable? Is it that lightning never strikes our land? Are we just really, really lucky? It is, of course, none of those."

To me, it is a very simple argument, a simple presentation: You have got to manage public forests. So I would encourage this committee to step up to its responsibility and recognize that if we cannot prevail in a balanced process, we are going to have to prevail through legislation that simply overrides, if you will, the appeal process, because our responsibility is the health of public lands. And all we have to do is follow a little more closely the prerequisites set by the private land holders and the manner in which they successfully manage the forest.

Thank you.

The CHAIRMAN. Senator Domenici.

**STATEMENT OF HON. PETE V. DOMENICI, U.S. SENATOR
FROM NEW MEXICO**

Senator DOMENICI. Well, Mr. Chairman and Senators, I want to try very, very hard to be brief, because we have heard from everyone and I just happened in on you, having gone to a previous hearing which I could not miss.

And let me just say, I do not believe, Mr. Chairman, that there is a more opportune time to conduct a hearing and to come up with at least the beginnings of an action plan than at this time as we close out this year. And it might not be—that we might not have sufficient time.

But there is no question that some committee of this Congress, hopefully this one, is going to have to review the entire forest ownership of America and decide as a matter of policy how they will be—how that forest will be managed.

We will have to answer the questions in policy language that deals with the issues that are in each one of our minds and just rocking around in our heads, such things as “Is it wrong to go in and cut down trees that have been burned and are now beginning to be infested?”

I think you just have to answer it as a matter of policy. I do not think we can leave it up to the environmentalists and the courts to fight it out case by case, area by area around this country.

Some forests, when it comes to cleaning them up, they look just like the forest when I was 10 years old. And whoever the outsiders are that fight about that, they think that is the right way, so they look pretty good and they do not have huge over-cover of wood waiting to burn down.

Ten miles away, there is another group of environmentalists who have a different version, that to just enter upon that land and just think about cutting a tree down is to put forest cutting—tree cutting back into that forest, and they prevail. And there sit either dried trees for the next 5 years to dry and rot, or they permit all kinds of growth around it so we invite it to grow, because that theory is it is good that they burn.

From this Senator’s standpoint, I am really getting tired of putting in so much extra money every year. I will continue to do it because I do not think we ought to let our forests burn. But within the last 2 years, we have appropriated—you have helped me on one. We put \$750 million in on the floor.

It has been divided up here and there. And we cannot even find where it has done any good. We are asking people to come and tell us “What did you do with that?” We nickname it. You remember? We called it something about the sun, did we not? Does anybody remember? So the sun could see?

Oh, “Happy Forest,” we called it. Because the sun could come down, if these were cleaned up and it could see the entire tree instead of the sun being completely eliminated from the scene, from the earth and from the bottom trees.

You may have had some—I do not even know if you can find the money, where you were going to go into partnership with local

groups in these poor areas and have the young people have summer jobs cleaning them up. I think we get nowhere.

And then this year—I see the administration’s people here. I sure hope they can tell us some answers. By one interpretation we have run out of money, because we borrowed it from other departments—other parts of the department.

And they are going to begin to need their money, and we do not have enough to pay the accruing firefighters bills. I mean, that is just the wrong thing for the United States to do when we are passing bills of \$500 billion for—excuse me—\$315 billion for our military. And we cannot find \$500 million or \$600 million more to fix up these forests.

Frankly, I hope we will try something beyond just this hearing. I am ready to support something that is really strong in terms of telling the people of this country how those forests are going to be managed, and they cannot all win in their lawsuits and have it managed their way. It is just not possible.

Thank you very much.

Senator CRAIG. Mr. Chairman, the shortest speech. Unanimous consent that Senator Ben Campbell’s statement be a part of the record.

The CHAIRMAN. We will include that in the record.

[The prepared statement of Senator Campbell follows:]

PREPARED STATEMENT OF HON. BEN NIGHTHORSE CAMPBELL, U.S. SENATOR
FROM COLORADO

Thank you for calling this important hearing, Mr. Chairman. The real threat our communities face out West from wildfires has not diminished, even though the media here in Washington might have the country believing otherwise.

My state of Colorado alone has recorded 1,165 fires since April. These fires have burned at least 368,005 acres and cost \$125 million to suppress. Although this year’s number of reported fires is not extraordinary, the amount of acreage burned is five times the average. This unprecedented loss of land reflects the condition of our forests. In fact, 73 million acres or an area larger than the entire state of Arizona, are at risk of catastrophic wildfire.

Several factors contribute to this risk—some of which humans have some control over, and in other areas we have none. The latter category includes the weather—the West is experiencing one of its worst recorded droughts in history. Dryer conditions create a tinderbox effect beyond our control.

However, forest management and health belong to the category of conditions that we can do something about. Decades of fire suppression activities have resulted in unnaturally dense forests—where nature would have 50 trees per acre, we have tree stands of 200, 500, even 800 trees per acre.

This unnatural fuel load buildup only dramatically compounds the tinderbox effect due to the drought conditions. The science is clear concerning hazardous fuel buildup—unnaturally dense forests result in hotter, larger, and faster burning wildfires. Recognizing the facts, the Forest Service and several of us in Congress have worked to provide for forest management through a combination of treatments including thinning and prescribed burns.

Unfortunately, whenever thinning is mentioned, several groups that claim to act in the interest of the environment actively work to oppose proposed actions. Rather than work to reduce the threat posed by wildfires these groups have instituted an obstruction-through-litigation strategy. In fact, forty percent of the Forest Service’s work, about \$250 million each year is spent on analysis to insulate itself from the likely flurry of lawsuits from various environmental groups.

For the first time in years, environmental organizations are actually having to explain themselves to their contributors. Our sophisticated public is no longer blindly following along, but are asking tough questions, putting some groups on the defensive. For example, I would like to refer to a Denver Post column from July 7, 2002 that discusses recent changes to the Sierra Club’s website.

Before Colorado's worst fires ever, that organization's website had a series of true and false questions about wildfires. Included are questions like: Forest fires pose a major threat to homes and communities. The Sierra Club's answer: False. Or how about the statement: Fires are devastating to fish and wildlife habitat. The Sierra Club's answer: False again. Or perhaps most interesting is the Sierra Club's assertion that salvage logging after forest fires does not speed habitat recovery. The article goes on to detail how the Sierra Club quickly changed its website to highlight how the government should only minimize wildfire threats around homes.

Several environmental groups argue that they don't obstruct decisions to thin the forest. Yet, the Forest Service's recent paper shows that nearly fifty percent of such decisions were appealed and several were actually litigated.

Although environmental groups might agree that our nation faces a forest health crisis, they oppose thinning. In many instances, they oppose thinning because they fear the erosion of the Roadless Rule—the Holy Grail of arbitrary land rules praised by environmentalists.

If some environmental groups were as concerned about the environment as they are with legitimizing their own existence through litigation, much of the beautiful land and animals in the San Juan and Pike-San Isabel National Forests might still be with us.

Environmental groups' focus on fuels treatment only around homes is simplistic and unrealistic. First of all, large fires actually spot fires up to a mile in every direction. That was certainly the case in the Hayman fire in Colorado.

Second, focusing only on the wildland urban interface ignores the tremendous potential damage to watersheds—many of which are in Roadless Areas.

Coloradans know all too well that the damage to watersheds after a fire can be nearly as devastating as the fire itself. For example, in 1996 the 12,000 acre Buffalo Creek fire destroyed the watershed. For weeks, Denver residents had brown water coming out of their faucets. The damage from that 12,000 acre burn cost nearly \$20 million to fix.

Back in January of this year, the Forest Service proposed to treat 5,200 acres to prevent a similar catastrophe to Denver's water supply. The proposed South Platte Project would have allowed for timber removal permitted under Roadless Rule exception to restore habitat and reduce fire risk. The proposed project was immediately appealed, and subsequently destroyed in the Hayman fire. Environmentalists should have been more concerned with saving the forest than saving their Roadless Rule.

The threat wildfire poses to water cannot be understated. Colorado has recently experienced flash flooding from relatively mild rains. The unnaturally hot burning fires baked the soil into concrete repelling water and leading to tremendous erosion. On one hand, Coloradans are happy to get some rain, but on the other, are nervous that the much needed water will actually damage water quality.

The seasonal monsoon rains, like the drought, are beyond our control. It is about time we move beyond some the partisan posturing and arbitrary rules and work to improve the forest health situation where we can.

The Forest Service needs more money, so several of us are interested in seeing how that can be accomplished.

Fuel loads in our forests have reached a critical stage. My colleagues and I are working to make sure that gets taken care of. This Senator from Colorado will not allow some groups to interfere with responsible forest management.

I look forward to the witnesses testimony and look forward to asking a few questions.

Thank you.

The CHAIRMAN. Why do we not go right ahead with you, Governor Martz? We apologize for having delayed you so long. Our usual practice is to not have opening statements, but I detoured from that today and you are the victim of that decision.

So go right ahead, please.

STATEMENT OF HON. JUDY MARTZ, GOVERNOR, STATE OF MONTANA

Governor MARTZ. Thank you, Mr. Chairman and members of the committee. And I cannot say how pleased I am to hear the statements that you have given, because I could not—I would disagree

with not a one of them. You have seen them and you have dealt with them for years.

My name is Judy Martz. I am the Governor of the great State of Montana. And I am the newly elected chair of the Western Governors Association. And I am appearing today on its behalf.

Senator Murkowski said we must change. And I really think the forests are yelling, "Pay me now or pay me later."

WGA, for your information, is an independent non-partisan organization of governors from 18 Western States and three U.S. flag islands in the Pacific. We appreciate the invitation to appear before this committee.

Senator Burns mentioned the \$1.7 billion that we are about to look at for this season. And, Senator Smith, I submit, that those costs, our costs to these forests are more if we do nothing. We must create a healthier environment for our forests.

Let me begin by stating that wild fire—or wildland fire and the ecosystem restoration issues are of extreme importance to the Western Governors, and these issues will be my number one priority as chair of the Western Governors Association. Congressional deliberation on wildland fire appropriations for fiscal year 2003 and additional funding for this year are of critical urgency to this committee and to the Western Governors.

Senator Craig said we know this is a big deal, and we truly do, each one of us here's States are probably to some extent on fire right now. As you know, the 2002 fire season is likely to be one of the most devastating and costly in recent decades. And it has yet to reach its peak—or its peak. Basically the real fire season in our States has not even begun. Our fire season is August and September.

Resources must be available to fight fires this summer without disrupting vital, productive work after the fire season has concluded. That work, such as thinning and ecosystem restoration will help to diminish the devastation of future forest fires.

Western Governors are therefore strongly supportive of emergency supplemental funding currently being considered by the Congress for Forest Service and Department of the Interior wildland fire management. In part, the need of these resources is demonstrated by a July 8, 2002 memorandum from Forest Service Chief Dale Bosworth. That memo calls on Regional Foresters to defer certain obligations and projects because of the difficulty of the Forest Service and what they are having in paying for fire suppression costs. Without emergency funds, we will continue to rob Peter to pay Paul, that we have heard about all afternoon, while perpetuating the mistakes of the last century.

Once these resources are made available by Congress, we urge the administration to move ahead rapidly, as many of our forests and rangelands are in dire need of action. Without diminishing environmental protection, we also need efficient and effective processes to get the job done.

Unnecessary delay, once consensus has been reached on projects to meet our goals, will cost us dearly in terms of dollars, resources and the possibility of taking lives.

I would submit to you, for the record, on April—an April 2002 letter,* it is with your—the remarks that I have given to you, from WGA to the leadership of both the Senate and the House Appropriations Committees. Western Governors seek continued substantial funding in fiscal year 2003 for wildland fire management issues. In particular, we urge the Congress to restore funding for community assistance.

These resources are critical to our rural communities in their efforts to protect homes, businesses and watersheds. We also seek resources to restore forest ecosystem health, and to rehabilitate burned and unburned areas, so they re-vegetate and regenerate in a way that reduces the risk posed by future fires.

Finally, the State Fire Assistance program that provides technical and financial assistance to States and local governments to enhance firefighting capabilities must also be fully funded.

I would like to submit for the record and have a June 20 WGA letter to the Appropriations leadership.* It sets forth long-term funding projections, developed by the National Association of State Foresters, to implement the 10-year strategy that Governors developed with the administration and other diverse partners. The plans are already out there. I am sure that State Foresters could provide further information on these figures if you should request that.

We hope these projections will assist Congress and the administration to ensure that Federal revenues are available over the long term to diminish the risks posed by wildland fire to communities and the environment.

These revenues must be consistent with these projections and allocated across all parts of the 10-year strategy, so that proactive forest health efforts may be undertaken. Western Governors urge the Congress to increase funding for all components of the National Fire Plan consistent with these projections.

Western Governors believe that over time, with continued substantial up-front investment, we can significantly reduce the damage caused by wild fire. We can protect lives and we can protect property and we can improve the health of our lands. It has taken more than 100 years to reach the current situation of extreme fuel loads on our Federal lands, on our tribal lands, State and private lands. And it will take a multi-year investment of time, money and on-the-ground to work to address it.

Mr. Chairman and members of this committee, I am pleased to report that there is a national strategic plan in place to make effective use of the resources that provided—that are provided to address wildland fire, hazardous fuels and the need for habitat restoration.

It has been transmitted to the Congress, and its implementation has already begun. I commend it to your attention if you are not already familiar with it. At the urging of the Western Governors and others, the Congress requested the development of a long-term collaborative and locally driven strategy in the Conference Report for the Fiscal Year 2001 Interior and Related Agencies Appropriations Act, Public Law 106-291.

* Retained in committee files.

“A Collaborative Approach for Reducing Wildland Fire Risks to Communities and the Environment,” and its implementation plan have been developed and recently endorsed by the WGA; and the Secretaries of Agriculture and the Interior; the Southern Governors’ Association; the Intertribal Timber Council; the National Association of Counties; and the National Association of State Foresters. The strategy was developed in a collaborative manner by those endorsees, as well as a range of stakeholder representatives.

The stakeholders represent the spectrum of natural resources interests from environmental groups to industry. Their contributions to and their support for the strategy speak volumes about its value, and to the process by which it was developed. I note and I thank the efforts of Governors Kizhaber of Oregon and Kempthorne of Idaho for leading WGA’s efforts for this strategy.

The strategy was designed to implement the National Fire Plan in a comprehensive and collaborative manner with a contribution of resources from all levels of government, the private sector, the communities and the volunteers. It seeks to accomplish four goals across Federal, State, tribal and private lands: One, to improve fire prevention and suppression; two, to reduce hazardous fuels; three, to restore fire-adapted ecosystems; and, four, to promote community assistance.

The strategy sets forth a number of guiding principles to achieve these goals, including collaboration, priority setting and accountability. It establishes a collaborative results-based framework for achieving its goals with performance measures, and takes to track progress—takes to task tracking progress over time.

States, tribes and local governments are full partners in its implementation. These partners strongly believe that the locally driven collaborative approach set forth in the Strategy will lead us to success in tackling the immense task we face.

We believe that a full partnership between the States and the Federal Government and substantial budget funding to implement the locally driven collaborative Strategy are necessary to tackle the threat and consequences of severe wild fire to communities and to the ecosystem.

Over the long term, restoration and thinning to protect homes, watersheds and habitat is much less expensive than fighting fires and addressing their aftermath. And we urge the Congress to support the proactive approach in this Strategy.

We appreciate, truly appreciate the recognition by the Congress of the need for State leadership and for the resources you have provided so far. We need your continued support if we are to ensure the sustainability of our invaluable natural resources and the communities in their midst. We absolutely need to fund not only fire-fighting but the 10-year plan.

This concludes my testimony on behalf of the Western Governors Association. I thank you for your consideration and your time. And I would be happy to answer any questions you may have.

The CHAIRMAN. Governor, thank you very much. We do have your 10-year comprehensive strategy. I think it is an excellent framework for how we need to proceed.

And I know you have the need to get on an airplane at some fairly early time here, so I will hold off on questions, but see if any of my colleagues have questions they would like to ask at this time.

Let me go to Senator Wyden.

Senator WYDEN. Thank you, Mr. Chairman.

I just have one, and Governor, I thank you. I think the position that the Western Governors have staked out is a balanced one and—

Governor MARTZ. Thank you.

Senator WYDEN [continuing]. And I appreciate it. And I have only one question for you.

I think everyone who looks at this issue understands that this is a multi-year exercise. It is not going to be done immediately. At the same time, you heard me say that folks in the West are hurting now. And, come August, I really do think a big chunk of the West is going to be an inferno.

What would the Western Governors Association like the Congress to do immediately other than the emergency supplemental that we think makes sense? Tell us, if you would, what you would like to have done immediately, because it is going to be my position—and we will talk about it with Mr. Rey in a minute—that what we have got to do is we have got to get the environment community and the Bush administration trying to find that common ground on steps that are immediate as well as multi-year.

I think it would be helpful to have on the record what WGA wants immediately.

Governor MARTZ. What we really do need to do—and thank you for the question. I believe what we really need to do—the supplemental will help, yes, but we have to start that plan. We have to start the fire plan, the forest health on the ground so that when we do have fires, the sooner we start that, not waiting until next year, but the sooner we start that, we will have preventative measures.

I think as this goes along, we are going to see—we in Montana have timber mills that have gone out of business. We have loggers that can no longer log. These are the very people that we need to have to be able to do forest health. The longer we wait to get that started, the fewer of those people we will have, doctors of the forest.

Yes, we all need to work together in a bipartisan manner to bring together whomever, whether it is the administration and the environmental community. There has got to be a balance somewhere in here. So we will look for that balance, but we need to get to work on the forests already.

The CHAIRMAN. Thank you. Are there other questions of Governor Martz?

Senator CRAIG.

Senator CRAIG. Governor, thank you for your testimony and thank you for reminding us that there is a strategy out there that ought to be looked at and ought to be implemented. The Secretaries of Agriculture and Interior were in Idaho to sign off on that plan some months ago at the request of the Governors as you had mentioned to talk about the very potential of what is now occurring in many of our Western States.

Governor, after the fires of 2000, the State of Montana began salvage operations almost immediately, before the smoke had even cleared, in some instances. As you tour your State lands and the Federal lands in your State now, could you describe the relative condition of the State land versus the Federal lands that you visit?

Governor MARTZ. Well, the State lands are picture perfect on how we have cleaned up. We have produced money for our schools. Almost \$5 million, we have produced. We have done a picture perfect cleanup. We have taken care of the watersheds. We have revegetated. We have taken out much of the burnt timber and left enough for the ecosystem.

And then on the other side, almost to the other side of the road, you go to the Federal lands where we were able to harvest 14,000 acres out of 300,000 acres because of appeals last year.

If this were in—I do know in Idaho, Dirk Kempthorne—Senator Kempthorne—Governor Kempthorne now, has said that in their fires of 2000 left to rot, because they could not harvest the burnt timber, is enough timber to build 100,000 homes. Something is wrong with that picture. It is a mess.

And in Montana, and in every State that has these horrendous fires, we need to have something done with the process. I know I am here to talk about funding for where we need to go from here, but I think you cannot take that out of the picture.

Senator CRAIG. Yes.

Governor MARTZ. The Federal land, Senator Craig, is not taken care of at all in comparison, when I go out and look at the two differences.

Senator CRAIG. The intensity of the fires of 2000, Mr. Chairman, are similar to those of today. In those conditions that were not treated in the State of Montana following those events, what kind of activity occurred on the land? And I am referencing erosion and therefore water quality in some of those pristine trout streams that Montana is so proud of.

Governor MARTZ. We truly brag about our water and our fisheries and blue ribbon streams all over the place, and we invite you all to come fish. But at the areas that we have had the fires, the watershed has not been protected, so we have results of the fires going down into the stream beds on the Federal lands.

On State lands, we have revegetated and taken care of that. It is an obvious difference in the caring level. And it is not because the foresters do not want to do it. They have been stopped by every environmental appeal that you could possibly imagine and almost coming out and sitting right there, so that even when there is a sale—there was a sale on 14,000 acres out of 300,000 acres, and even that was a sitting strike, getting that 14,000 acres cleaned out.

So there is a vast difference. You can see it. It does affect our fisheries. And it is unhealthy.

Senator CRAIG. Thank you.

Thank you, Mr. Chairman.

Senator MURKOWSKI. I have one question.

The CHAIRMAN. Senator Murkowski has a question.

Senator MURKOWSKI. Governor, you articulate quite clearly the difference between private management and Federal management,

mismanagement I should say, as a consequence of the previous administration's inability to come up and address responsibly corrective activity.

I think former Chief Dombeck was substantially misled in his own interpretation of what forest health is all about, but I will leave that for other witnesses.

My question specifically is to you: As the chief executive of your State, you see it, clearly your constituents see this comparison. What, in your explanation, is the inability of the environmental critics to see the similar manner in which private forests are managed vis-à-vis the public forests, which are left to their natural state? Can you help us understand a little bit that mentality?

Governor MARTZ. Senator, I really believe it is the processes, the two processes. We have a process called the Montana Environmental Policy Act. It gives us time lines in which we can do things and they move quite quickly, but yet they pass all the environmental time frames and laws that need to be passed to be able to get these sales out. Now, on Federal lands, they move more slowly.

Senator CRAIG. Yes. But why cannot the other side see the truth path, if you will, towards appropriate management?

Governor MARTZ. I think it is because they can get away with it. I do not know whether that—you understand that. Plain and simple, they can do it. And they are doing it. And it is about time we find some balance, Senator. And we cannot do that alone.

We on the State's—we changed our Montana Environmental Policy Act last session and it was probably the best thing we did to try to be able to move the process along. I do believe on the Federal level, the policy has to be changed.

It will be very difficult, but I think one of the biggest issues facing this country right now is forest health and the economy of our health of the forests. It can be the biggest single issue economically for all of us if we do not take care of it.

Senator MURKOWSKI. I thank you.

The CHAIRMAN. Governor, thank you very, very much for your testimony. We appreciate it, and we will continue to hope for input from the Western Governors Association.

Governor MARTZ. Thank you.

The CHAIRMAN. Let me call our next panel. This is a panel consisting of Mark Rey, who is the Under Secretary of Agriculture for Natural Resources and Environment with the Department of Agriculture; and Nancy Dorn, who is the Deputy Director of the Office of Management and Budget.

[Pause.]

The CHAIRMAN. As is our usual practice, we will include your entire statements in the record. It would be helpful if you summarize the main points, and then we will have some questions.

Which of you would like to start? Ms. Dorn, you seem to be volunteering here.

STATEMENT OF NANCY DORN, DEPUTY DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET

Ms. DORN. Thank you. Thank you, Mr. Chairman. I am pleased to be here this afternoon to discuss the funding needs for the 2002

wild fire season. I will make it short and leave as much time for questions as you all would like.

As you know, the 2002 fire season got off to an early start with some very large, very prominent fires in Colorado and the Southwest. Fires have burned over 3.3 million acres so far this year, and several large fires have threatened sizeable communities.

The administration has done everything possible to fight the catastrophic fires in both Colorado and Arizona. In addition, the President has declared effected areas in those States to be disaster areas in order to provide disaster assistance.

However, we have gotten many fires under control and—as of late, and as conditions have changed, fires have been less intense, particularly in the Southwest. As of yesterday, 313,000 acres were burning from active fires, as compared with nearly 1 million acres just 2 weeks ago. We have a challenge, of course, in planning and budgeting for wildland fire seasons, as the nature of fires are rather unpredictable. One of the factors in this, and it does play into the cost, is the proximity of fires to communities.

This year three large urban interface fires in Colorado and Arizona have accounted for over \$110 million in suppression costs, or nearly one-quarter of total suppression costs so far this year.

Geographic variability is another one of the variables. The fire season begins early in the Southeast, in about February. Fires tend to start in late spring in the Southwest, where we have seen much of the activity so far this year, and taper off by mid-July with the onset of rains.

In contrast, the fire activity in the Great Basin, Pacific Northwest, Northern Rockies and California is generally greatest in July and August. We generally consider the end of the fire season to be sometime around the middle of September.

The combination of these factors make any estimate of fire suppression costs highly speculative. The Forest Service's projections of suppression costs have been changing significantly from month to month. Actual daily fire expenditures have also varied radically from \$18 million a day on July 1 to less than \$3 million a day just 12 days later on July 13.

As of now, it is by no means certain that the 2002 fire costs for the or in the rest of the West will follow the same pattern as the fire costs in the Southwest and Colorado. We also cannot assume that we will see the same level of threats to large urban interface communities throughout the duration of the season, although we are prepared to deal with those.

While we do not want to jump to conclusions on ultimate fire suppression needs for this year, we recognize the seriousness of the situation and understand that a trend of this sort would not be unrealistic. Current drought conditions, weather patterns and the build up of hazardous fuels in many western States certainly have made this a possibility.

The administration has taken the position, and we say it strongly and as often as we can, that no fires will go unfought this season. Due to the unpredictable nature of fires, both the Department of the Interior and USDA have had for some time the authority to transfer funds from other accounts to fund fire suppression.

Based on this, the administration has developed contingency plans for funding a record year of fire suppression spending should that become necessary. Both agencies expect to have significant funds available in 2002 from which to draw upon for fire suppression.

The use of this transfer authority is a practice which has been used in 3 of the last 5 years and will be carried out in a manner to minimize programmatic impact. In many cases, these are funds that would not be spent for the remainder of 2002 anyway. In many programs, there is a substantial lag time between when projects or work is planned and budgeted and when the work is actually carried out and funds obligated.

For example, the Forest Service transferred over \$200 million in unobligated balances in various programs for wildland fire suppression last year and still ended the year with an unobligated balance of over \$1.2 billion. The \$200 million in transferred funding was subsequently repaid and no programs were significantly affected.

With only 2½ months remaining in the current fiscal year, the Forest Service and the Department of the Interior have only recently begun to transfer funds for fire suppression from other accounts. In fact, the last—the first transfer of funds actually took place last Friday, \$200 million.

OMB will continue to work closely with both agencies to ensure that resources are available in a timely manner. The administration has been and will continue to monitor this situation closely and we will ensure that resources are available whenever they are needed.

Due to the uncertainty about fire suppression expenditures, the Forest Service is taking prudent steps to ensure that the funds are available, should they be needed. Such precautions are simply good business practices, as we get a better idea of what actual fire suppression costs will be and we can identify what funds are likely to be unobligated anyway.

Once we have a better idea of the ultimate cost of this year's fire suppression effort, we will work with Congress to replenish transferred funds within the context of the fiscal year 2003 appropriations bills.

Let me just say that the administration has requested an additional amount of fire suppression and firefighting funds for this year. For fiscal year 2002, Congress had already or has already provided \$400 million in contingent emergency wildland fire management funding, of which \$200 million was appropriately earmarked to reimburse transfers made during the fiscal year 2001 fire season.

If Congress had fully funded the President's request for fire suppression and devoted the remainder of the contingent emergency funding solely to fire suppression, we currently would be in a better position to handle this fire season. In fact, we would have on-hand an additional \$200 million in fire suppression funding and would need to transfer less from other accounts.

In the 2003 appropriations process, the President's base funding request for fire suppression has been reduced by about 70 percent. The Senate has provided \$400 million in contingent emergency fire suppression funding.

While this avoids budget allocations, it is not the most predictable form of budgeting. The ultimate level of fire expenditures is unpredictable. But the need for a significant base level of fire suppression funding at least to address the 10-year average is known and does not meet the definition of an emergency.

In summary, the administration is doing everything possible to address this year's severe fires and has a plan to fund those costs. We will continue to work with Congress to ensure that these funds are available when needed, and we look forward to working with the committee and with the agencies that are affected. Thank you.

The CHAIRMAN. Thank you.

[The prepared statement of Ms. Dorn follows:]

PREPARED STATEMENT OF NANCY DORN, DEPUTY DIRECTOR,
OFFICE OF MANAGEMENT AND BUDGET

Mr. Chairman, I am pleased to be here this afternoon to discuss funding needs for the 2002 wildfire season. I will make a short statement, and then I would be pleased to answer any questions that you might have.

THE 2002 FIRE SEASON AT A GLANCE

The 2002 fire season got off to an early start with some very large fires in Colorado and the Southwest. All told, fires have burned over 3.3 million acres so far this year, and several large fires have threatened sizable communities. This has been an active, early fire season. The Administration has done everything possible to fight the catastrophic fires in both Colorado and Arizona. In addition, the President declared affected areas in those states to be disaster areas in order to provide disaster assistance to those whose homes have been destroyed by the fires.

However, we have gotten many fires under control as of late, and as conditions have changed, fires have been less intense, particularly in the Southwest. As of yesterday, 313,000 acres were burning from active fires, compared with nearly 1 million acres just 2 weeks ago. By comparison, the 2000 fire season started off with the devastating Cerro Grande fire and turned out to be one of the worst fire seasons in 50 years. But the number of fires and acres burned and consequently suppression costs were heavily concentrated in later months and in different geographic regions.

THE UNPREDICTABLE NATURE OF WILDLAND FIRES

One of the challenges in planning and budgeting for a wildland fire season is the unpredictable nature of fires. The number, size, severity, location, and duration of fires is heavily influenced by myriad weather-related factors such as heat, humidity, drought, dry lightning, and winds. All of these factors ultimately affect the cost of fighting fires.

The proximity of fires to communities also significantly impacts suppression costs. This year, three large urban-interface fires—the Hayman and Missionary Ridge complexes in Colorado and the Rodeo-Chediski complex in Arizona—have accounted for over \$110 million in suppression costs, or nearly one quarter of total suppression costs so far this year.

Geographic variability is another of the variables that come into play. The fire season begins in February in the Southeast. Fires tend to start in late spring in the Southwest—where we have seen much of the activity so far this year—and taper off by mid-July with the onset of the monsoon rains. In contrast, fire activity in the Great Basin, Pacific Northwest, Northern Rockies and California generally is greatest in July and August.

ESTIMATING FIRE SUPPRESSION COSTS

The combination of these factors makes any estimate of fire suppression costs highly speculative. This helps explain why the Forest Service's projections of suppression costs have been changing significantly from month to month. Actual daily fire expenditures have also varied radically—they spiked to almost \$18 million/day on July 1st and have since declined to less than \$3 million/day on July 13th.

The fact that fire costs have been considerably higher than normal so far this year does not mean that they will necessarily remain so for the remainder of the fire season. While plausible, it is by no means certain that 2002 fire costs in the rest of the western states will follow the same pattern as fire costs in the Southwest and

Colorado. Similarly, we cannot assume that we will see the same level of threats to large urban interface communities throughout the duration of the season.

I want to stress that while we are not ready to jump to conclusions on ultimate fire suppression needs for this year, we recognize the seriousness of the situation and understand that a trend of this sort would not be unrealistic. Current drought conditions, weather patterns, and the buildup of hazardous fuels in many western states certainly have made this a possibility.

ENSURING SUFFICIENT FIRE SUPPRESSION FUNDING IN 2002

Let me assure you that no fire will go unfought this fire season due to lack of funding for suppression. Due to the unpredictable nature of fires, both DOI and USDA have, for some time, had the authority to transfer funds from other accounts to fund fire suppression. Based on this, the Administration has developed a contingency plan for funding a record year of fire suppression spending should that become necessary. Both agencies expect to have significant funds available in 2002 from which to draw upon for fire suppression.

There has been concern about the impact of suppression transfers on the programs donating funds. Transfer authority for the Forest Service and DOI to address additional fire suppression needs was provided by Congress to ensure fire suppression funding would always be available when needed. The use of this transfer authority is a practice which has been used in three of the last five years and will be carried out in a manner to minimize programmatic impact. In many cases, these are funds that would not have been spent in 2002 anyway. In many programs, there is a substantial lag between when projects or work is planned and budgeted and when the work is actually carried out and funds obligated.

For example, the Forest Service transferred over \$200 million in unobligated balances in various programs for wildland fire suppression last year and still ended the year with an unobligated balance of over \$1.2 billion. The \$200 million in transferred funding was subsequently repaid, and no programs were significantly affected.

Moreover, with only 2½ months remaining in the current fiscal year, the Forest Service and DOI have only recently begun to transfer funds for fire suppression from other accounts. OMB will continue to work closely with both agencies to ensure resources are available in a timely manner. The Administration has been and will continue to monitor this situation closely and will ensure that resources are available when needed.

Due to the uncertainty about fire suppression expenditures, the Forest Service is taking prudent steps to ensure that funds are available should they be needed. Such precautions are simply "good business practice" until we have a better idea of likely actual fire suppression costs and can identify what funds are likely to be unobligated anyway. Once we have a better idea of the ultimate cost of this year's fire suppression effort, we will work with Congress to replenish transferred funds within the context of the FY 2003 appropriations bills.

LOOKING TO THE FUTURE

The Administration recognizes the importance of improving forest health and limiting the fire risk of our national forests through environmentally-sound hazardous fuels reduction through forest thinning and prescribed burning, with particular attention focused on the wildland-urban interface.

Consequently, the Administration recently developed an implementation plan for the 10-Year Strategy to reduce wildland fire risks, in conjunction with the Western Governors' Association, that will help accomplish that goal.

In support of the implementation plan noted above, the Administration requested \$414 million in FY 2003 for hazardous fuels reduction through the Forest Service and the Department of the Interior. Both the House and Senate Appropriations Committees have included this funding in their FY 2003 bills.

I'd like to point out that approximately \$39 million was transferred from the hazardous fuels reduction activity for fire suppression activities last summer (FY 2001 funding). Given the timing of this borrowing (the height of the fire season), these funds could not have been used for hazardous fuels reduction projects anyway. My understanding is that these funds were fully repaid in March 2002 and are going toward on-the-ground projects at this time.

FIRE SUPPRESSION FUNDING

Before I finish my remarks, I want to make a plea for full funding of expected fire suppression needs for FY 2003. For FY 2002, Congress has already provided \$400 million in contingent emergency wildland fire management funding, of which

\$200 million was appropriately earmarked to reimburse transfers made during the FY 2001 fire season. However, if Congress had fully funded the President's request for fire suppression and devoted the remainder of the contingent emergency funding solely to fire suppression, we currently would be in a much better position to handle this fire season. In fact, we would have on-hand an additional \$200 million in fire suppression funding and would need to transfer less from other accounts.

This same pattern appears to be repeating itself in FY 2003. The Senate Appropriations Committee has cut the President's base funding request for fire suppression by almost 70 percent. Instead, the Senate has provided \$400 million in contingent emergency fire suppression funding. This avoids budget allocations and is not the most responsible method of budgeting. While the ultimate level of fire expenditures is unpredictable, the need for a significant base level of fire suppression funding—to at least address the ten-year average—is known and does not meet the definition of emergency. In contrast to the Senate Appropriations approach, the President's FY 2003 request appropriately funds fire suppression costs at the ten-year average.

In summary, the Administration is doing everything possible to address this year's severe fires and has a plan to fund those costs. Thank you for allowing me to testify on this important issue. The Administration wants to work with the Committee to address the wildland fire problem both this year and in the future.

The CHAIRMAN. Mr. Rey, why don't you go right ahead?

STATEMENT OF MARK REY, UNDER SECRETARY OF AGRICULTURE FOR NATURAL RESOURCES AND ENVIRONMENT, DEPARTMENT OF AGRICULTURE; ACCOMPANIED BY TIM HARTZELL, DIRECTOR OF THE OFFICE OF WILDLAND FIRE COORDINATION, DEPARTMENT OF THE INTERIOR; AND DENNY TRUESDALE, ASSISTANT COORDINATOR, NATIONAL FIRE PLAN, U.S. FOREST SERVICE

Mr. REY. Thank you. With me today is Tim Hartzell, on my right. He is the Director of the Office of Wildland Fire Coordination of the Department of the Interior. To his right is Denny Truesdale, our assistant coordinator for the National Fire Plan at the Forest Service. I may ask each or both of them to respond to some of your questions as we go forward.

Since the Department of the Interior and the Department of Agriculture work as one in firefighting, fire management and implementation of the National Fire Plan, my statement will be offered on behalf of both Departments.

We thank you and the committee for your support of the fire management program and, most importantly, for your support of the brave men and women who make up our firefighting corps. Our firefighters do an impressive job under adverse conditions, and they deserve our thanks and admiration.

As we move into the peak of the Western fire season, fighting wildland fires is only one aspect of the work we must do, however, to protect communities and restore ecosystems. The 2002 fire season has already been a difficult one. But thanks to the National Fire Plan, the wildland fire agencies together have well over 17,000 firefighting employees to prevent, detect and suppress wildland fires, treat hazardous fuels, and provide leadership for the organizations.

When we realized the potential severity of the 2002 wildland fire season, we began to hire seasonal firefighters early, and we were staging firefighting crews and equipment in locations where they can be mobilized quickly and effectively.

Thousands of homes have been saved by firefighters, more than 300 large fires have been controlled, and about 42,000 fires were

controlled through the end of June. Without the added National Fire Plan support that you provided, our response would not have been as strong.

As of June 30, less than 1 percent of the fires have escaped initial attack to become large fires, compared to an escape rate of 2 to 5 percent in past years.

This year, when we went into Preparedness Level Five, the highest level of preparedness, we still had approximately 221 hand crews available to be assigned. During fire season 2000, when we went to Level Five, we were stretched so thin that we were already ordering military crews.

That, Senators is a reflection of the work you have done in providing us money through the fire plan, or as it is more colloquially known here, the "Happy Forests Program." Although several fires have been devastatingly large, the additional resources have made a difference in reducing the size of many fires.

Another critical aspect to decreasing wild fire is to reduce hazardous fuels in our forests and grasslands. We can do this by restoring fire adapted ecosystems, thereby reducing wild fire risks to communities, conserving natural resources, and most importantly, saving public and firefighter lives.

Bipartisan congressional support has provided the Forest Service and Interior with the necessary funding to increase the acreage of fuels treatment, to reduce the risks to communities and ecosystems. We have preliminary indications that recent fuel treatments have been effective in community and natural resources protection. We are currently gathering information to determine if these initial assessments can be validated.

In addition, restoration and rehabilitation are critical parts of responding to the aftermath of wild fire. These efforts focus on lands unlikely to recover quickly and naturally from wild fire. Stabilizing activities generally take several years and include reforestation, watershed restoration, road and trail rehabilitation, and fish and wildlife habitat restoration. Reseeding is done when possible with seeds from native trees and plants.

In addition to the rehabilitation efforts that are already beginning with the 2002 fires, rehabilitation efforts continue from areas affected by fires in 2001 and 2000.

With the fires of recent days, the Forest Service and the Department of the Interior specialists are already in the field assessing conditions and preparing burned area recovery reports for emergency rehabilitation needs. Emergency stabilization work, as I said, has already begun, and longer term rehabilitation and restoration will continue for several years.

For the past year and a half, since the National Fire Plan was developed, Federal agency field units, States, tribes and other partners have been busy, putting into action the concept of the Fire Plan. In 2001, we accomplished a great deal of work in each of the five key areas of the Fire Plan: Firefighting, rehabilitation and restoration, hazardous fuels treatment, community assistance, and accountability. That work has been summarized in the fiscal 2001 Performance Report, which has already been submitted to the Congress earlier.

Our mid-year review of accomplishments for the National Fire Plan this year shows that excellent work continues to take place. I have already mentioned our improved firefighting capacity.

This year the Department of the Interior and the Forest Service expect to treat 2.4 million acres to reduce hazardous fuels. By the end of June, both Departments had completed fuels treatment on over 1.6 million acres. Over 47 percent of these acres were in the wildland urban interface.

Despite the severe drought, we will accomplish additional mechanical and prescribed fire treatments, as weather permits. We anticipate that we will accomplish some additional mechanical treatments this year. Treatment by prescribed fire has been severely curtailed due to the drought and wild fire activity through what is usually the most productive time of year for treatments, which is the spring.

Our employees report that in recent fire behavior and photographs show that fuel treatments in Arizona and Colorado have been effective in wildland urban interface areas and in natural resources protection. Initial indications are supportive of the fact that fuels treatment are working, and we have some examples of that in my statement for the record.

Our working relationship with our State and local partners has never been stronger. In addition to our Federal firefighting crews, we call upon many other firefighting forces for assistance.

State and local firefighters may be the first to respond to fire incidents, and we rely heavily on these crews for support, especially the rural and volunteer fire department crews for their expertise in structural protection. Their capabilities have been enhanced by the resources provided through the National Fire Plan, through the auspices of this committee and the Congress.

The work we are doing to organize our firefighting effort and to work through the national implementation plan has been, I think, recounted by Governor Martz, and I need not recount it further. I will simply conclude by noting that we are better funded than we have been in perhaps over a decade, better organized than we have ever been, but we nevertheless are facing a fire season which will be very difficult, perhaps as difficult as the 2000 season. For me personally, I am confident that this season will be more difficult than the 2000 season. That has nothing to do with the weather, but everything to do with the fact that I am on this side of the dais for the 2002 season.

With that, we would be happy to answer any of your questions.

The CHAIRMAN. Thank you very much.

[The prepared statement of Mr. Rey follows:]

PREPARED STATEMENT OF MARK REY, UNDER SECRETARY FOR
NATURAL RESOURCES AND ENVIRONMENT, DEPARTMENT OF AGRICULTURE

Mr. Chairman and members of the committee: Thank you for the opportunity to meet with you today. I am Mark Rey, Under Secretary for Natural Resources and Environment, Department of Agriculture. With me today are Tim Hartzell, Director of the Office of Wildland Fire Coordination at the Department of the Interior; and Denny Truesdale, Assistant Coordinator, National Fire Plan, Forest Service. Since the Department of the Interior and the Department of Agriculture work closely together in fire management and in implementing the National Fire Plan, it is appropriate to use one statement to talk about the 2002 wildland fire season including rehabilitation and restoration and discuss our work on the National Fire Plan.

We thank you and your committee for your support of the fire management program and, most importantly, for your support of the brave men and women who make up our firefighting corps. Our firefighters do an impressive job under adverse conditions and they deserve our thanks and admiration. As we move into the peak of the western fire season, fighting wildland fires is only one aspect of the work we must do to protect communities and restore ecosystems.

THE FIRE SITUATION AND OUTLOOK

The outlook is for a continued severe fire season. This fire season started out earlier than usual and we have already seen over 3.3 million acres burned. This is more than twice the ten-year average of burned acreage, despite the fact that the number of fires is below the ten-year average. The high level of burned acreage is partly attributable to the Hayman and Rodeo-Chediski fires. These fires, which were started under unusual circumstances that we hope will not be repeated, account for over 600,000 acres. Since those fires and the Missionary Ridge fires were brought under control early this month, daily acres burned and costs incurred have dropped. Nevertheless, the drought condition in the Southwest, Rockies and East Coast has set the stage for an active fire season in those areas while the onset of the monsoon season in the Southwest should eventually moderate fire activity in that area. Since October, areas receiving below normal amounts of precipitation include Southern California, the Southern Great Basin, the Southwest, the Rocky Mountains and the Eastern Seaboard. The Northeast experienced the second driest September to February in the last 107 years. July 2001 through June 2002 was the driest rainfall season on record since 1850 in Los Angeles and San Diego.

The weather outlook for later this summer and fall calls for generally warmer than normal temperatures across the entire West. It is anticipated that monsoon moisture will eventually moderate fire activity in western New Mexico, eastern Arizona, and western Colorado after mid July; however, such moisture has not yet arrived. Through September, rainfall is predicted to be below normal, in portions of the Pacific Northwest, Northern Rockies and Great Basin. As a result, fire potential in the Great Basin, Pacific Northwest and Northern Rockies is expected to increase later this summer and fall. Existing drought conditions along the Eastern Seaboard could lead to high fire potential during the fall months. Above normal fire potential is predicted in California, the Great Basin, Rockies, Mid-Atlantic States and portions of the Pacific Northwest and Northern Rockies through the fall.

2002 FIRE SEASON

The 2002 fire season has already been a difficult one. Thanks to the National Fire Plan, the wildland fire agencies together have well over 17,000 fire employees to prevent, detect, and suppress wildland fires, treat hazardous fuels, and provide leadership for the organizations. When we realized the potential severity of the 2002 wildland fire season, we began to hire seasonal firefighters early and we are staging firefighting crews and equipment in locations where they can be mobilized quickly and effectively. Thousands of homes have been saved by firefighters, more than 300 large fires have been controlled, and about 42,000 fires were controlled through the end of June. Without the added National Fire Plan support, our response would not have been as strong. As of June 30, less than 1% of the fires have escaped initial attack to become large fires compared to an escape rate of 2 to 5% in years past. This year, when we went into Preparedness Level 5 (the highest level of preparedness), we still had approximately 221 hand crews available to be assigned. In fire season 2000, when we went into Level 5, we were stretched so thin we were already ordering military crews. Although several fires have been devastatingly large, the additional resources have made a difference in reducing the size of many of the fires.

Firefighting is a high risk, high consequence activity, and the Forest Service and Interior have always had strong firefighter safety and training programs. Firefighter safety is our highest priority. Following the ThirtyMile Fire tragedy in July 2001, where four firefighters lost their lives, we have reexamined our safety programs and identified areas needing improvement. The areas identified include managing firefighter fatigue, reinforcing use of the 10 Standard Fire Orders and the 18 Watch Out situations, and developing training to avoid entrapment by fire. All of these improvements in training and safety are in place for this fire season. We are committed to doing everything we can to improve firefighter safety.

Another critical aspect to decreasing wildfire is to reduce hazardous fuels in our forests and grasslands. We can do this by restoring fire adapted ecosystems, thereby reducing wildfire risks to communities, conserving natural resources, and most importantly, saving public and firefighter lives. Bipartisan Congressional support has

provided the Forest Service and Interior with the necessary funding to increase the acreage of fuels treatment to reduce risks to communities and ecosystems. We have preliminary indications that recent fuel treatments have been effective in community and natural resource protection. We are currently gathering information to determine if these initial assessments can be validated.

When local areas anticipate or experience above normal fire activity, the Departments have the authority, through what is known as "severity funding," to provide suppression funds to those units so that they can bring in additional staff and equipment to improve initial and extended attack response capabilities and increase prevention activities. Already this year, the Forest Service has approved over \$61 million for severity assistance; Interior has approved over \$29 million in severity assistance. Federal wildland fire agencies have enhanced initial attack capabilities in Arizona, New Mexico, Colorado, Montana, and Nevada by pre-positioning resources ranging from airtankers, to hand crews, to engines in strategic locations. Weather, fuels, and drought conditions all contribute to the number and size of wildfires. We can reduce the severity of unwanted wildland fire over time through hazardous fuels reduction. We will never be able to control every fire every time, but we can reduce the number and severity these wildfires.

REHABILITATION AND RESTORATION

Rehabilitation and restoration are critical parts of responding to the aftermath of wildfire. These efforts focus on lands unlikely to recover quickly and naturally from wildfire. Stabilizing activities generally take several years and include reforestation, watershed restoration, road and trail rehabilitation, and fish and wildlife habitat restoration. Reseeding is done when possible with seeds from native trees and plants. In addition, rehabilitation efforts continue from the 2000 and 2001 fires.

With the fires of recent days, Forest Service and Department of the Interior specialists are already in the field assessing conditions and preparing the burned area reports for emergency rehabilitation needs. Emergency stabilization work has already begun and longer term rehabilitation and restoration on these very large fires will continue for several years.

OUTCOMES OF THE NATIONAL FIRE PLAN

For the past year and a half, since the National Fire Plan was developed, Federal agency field units, States, Tribes and other partners have been busy, putting into action the concepts of the Fire Plan. In 2001, we accomplished a great deal of work in each of the 5 key point areas of the Fire Plan (Firefighting, Rehabilitation and Restoration, Hazardous Fuels Treatment, Community Assistance and Accountability) - work that has been summarized in the FY 2001 Performance Report.

Our mid-year review of accomplishment for the National Fire Plan shows that excellent work continues to take place. I have already mentioned our improved firefighting capacity. This year the Department of the Interior and the Forest Service expect to treat 2.4 million acres of reduce hazardous fuels. By the end of June, both Departments completed fuels treatment on over 1.6 million acres and over 47 percent of these acres are in the wildland urban interface. Despite the severe drought, we will accomplish additional mechanical and prescribed fire treatments as weather permits. We anticipate that we will accomplish some additional mechanical treatment this year. Treatment by prescribed fire activity has been severely curtailed due to wildfire activity, through what is usually a productive time of year for treatments. Our employees report that recent fire behavior and photographs show that fuel treatments in Arizona and Colorado have been effective in wildland-urban interface areas and in natural resource protection. Initial indications are supportive of our fuels treatment and we are working to document this information.

An example of our focus on hazardous fuels is the Blue Ridge Urban Interface project on the Coconino National Forest in Arizona, begun during September 2001. The project was designed to reduce the risk of fire around 10 subdivisions totaling over 1,000 homes located near the town of Clint's Well. So far the project has completed 4,230 acres of prescribed burning, 1,600 acres of commercial thinning and the chipping of thinning slash material on about 220 acres. On May 14 of this year, a fire broke out just south of the project boundary. Within an hour the fire had grown to 5 acres and began to spread rapidly through the tree canopy. As it moved into part of the project area, an area that had been burned in February, the fire activity decreased and crews were able to contain the fire. If the fire activity had not decreased, the fire would have had the opportunity to move through one of the subdivisions, perhaps burning the homes in its path.

In 2001, as part of the community assistance portion of the National Fire Plan, the Student Conservation Association in Idaho and Nevada launched the Fire Edu-

cation Corps, a public-fire awareness project. Local teams working in cooperation with federal, state and local authorities provided more than 500,000 residents with vital, wildfire safety information through: public presentations, special events, community canvassing, home evaluations, fuels reduction projects, and media relations.

With our State Forester partners through the State Fire Assistance program, we have assisted over 11,000 communities by developing local projects on fire prevention, fire suppression, hazard mitigation, and creating FIREWISE communities. Both Departments have helped over 3,100 communities by providing training, protective fire clothing, and firefighting equipment through the Volunteer and Rural Fire Assistance programs.

Our working relationship with our State and local partners has never been stronger. In addition to our Federal firefighting crews, we call upon many other firefighting forces for assistance. State and local firefighters may be the first to respond to fire incidents. We rely heavily on these crews for support, especially the rural and volunteer fire department crews, for their expertise in structural protection. In severe fire seasons, State, Tribal, military, National Guard, local firefighters and supervisory firefighters from Canada, New Zealand, and Australia are instrumental in fighting wildland fire. We would like to thank you Mr. Chairman, for your work on the bill regarding tort claim coverage of foreign firefighting personnel.

The five land managing agencies have updated the majority of their fire management plans to be consistent with the Federal Wildland Fire Management Policy, with a goal to have all plans updated in 2004, if not sooner. Today the Wildland Fire Leadership Council is finalizing an interagency fire management plan template that will make fire management planning within all federal agencies consistent and without regard to boundaries. The fire management plans are used by fire management officers, line officers and incident commanders to plan for future fire management decisions, and to make quick decisions when a fire incident occurs, as to the appropriate techniques and tactics for effective wildland fire suppression.

This year, the Departments are developing a common interagency fire budget planning process that will provide all agencies with a uniform, performance-based system for identifying the preparedness resources necessary to deliver a cost effective fire management program. This system will be deployed by the 2004 fire season and will influence readiness decisions for the 2005 fire season. Some interim components may be online even earlier.

On May 23, 2002, the Secretary of Agriculture and the Secretary of the Interior joined with the nation's Governors to endorse the Implementation Plan for the 10-Year Comprehensive Wildland Fire Strategy. The 10-Year Implementation Plan is an historic document setting forth an agenda to aggressively manage wildland fires, and reduce hazardous fuels, protect communities, and restore ecosystems over the next decade. The 10-Year Implementation Plan was developed in response to the high level of growth in the wildland urban interface that is placing more citizens and property at the risk of wildland fire, the increasing ecosystem health problems across the landscape, and an awareness that past suppression has contributed to more severe wildfires. The 10-Year Implementation Plan will help reduce the risk of wildfire to communities and the environment by building collaboration at all levels of government.

The newly formed Wildland Fire Leadership Council is important to the leadership, accountability, and coordination in carrying out the National Fire Plan. The Council, which has met three times, has participants from the National Association of Counties, the National Governors Association, the Federal Emergency Management Agency, the National Association of State Foresters and the Intertribal Timber Council. The Council provides oversight to ensure policy coordination, accountability and effective implementation of the wildland fire programs. Currently, the Council is developing action plans for each task described in the 10-Year Implementation Plan. These action plans will set the course for accountability for accomplishing this important work.

SUMMARY

With the outlook for a continuing severe fire season, the five federal land-managing agencies and our partners at the State and local level are doing all that we can to be prepared. We will continue to do everything we can to protect firefighters, the public, and communities. We appreciate continued bipartisan support from the Congress. The 10-Year Implementation Plan and the Wildland Fire Leadership Council will continue to foster cooperation and communication among Federal agencies, States, local governments, Tribes, and interested groups and citizens. Our aim is to ensure the long-term safety and health of communities and ecosystems in our care.

This concludes my statement, Mr. Chairman. I would be happy to answer any questions you and the members of the committee may have.

The CHAIRMAN. I just have a few questions here, and then will defer to my colleagues.

Ms. Dorn, let me just understand the administration's position. You oppose adding any emergency firefighting funds to the supplemental bill at this time, is that correct?

Ms. DORN. Mr. Chairman, we have been working on a supplemental appropriations bill since March, so when we submitted our supplemental request in March, it was way before we had visibility on what the summer was going to look like. In the last several weeks, we have been—we have had discussions with a number of members of the Senate, a number of members of this committee, about the need for additional firefighting suppression money. And I would say that those discussions are ongoing at this point.

We are getting to the point in the year where if we do not pass the supplemental pretty soon, there is not going to be any reason to pass a supplemental, but we understand that there is great interest in the Congress in that matter. We have looked at several different options for them.

The CHAIRMAN. So it is not that you are opposed; it is that you do not have a position?

Ms. DORN. I would say that it is a matter under discussion at this point. We have looked at it in the context of trying to do it with some offsets from some other accounts, so that it does not add to the overall total of the bill. But it is an open question at this point.

The CHAIRMAN. Let me just also ask about a specific section of your testimony that I do not fully understand.

You say, "For fiscal year 2002, Congress has already provided \$400 million in contingent emergency wildland fire management funding, of which \$200 million was appropriately earmarked to reimburse transfers made during the 2001 fire season. However, if Congress had fully funded the President's request for fire suppression and devoted the remainder of the contingency fund solely to fire suppression, we currently would be in a much better position to handle this fire season."

And then as 2003, you say, "In contrast to the Senate Appropriations approach, the President's fiscal year 2003 request appropriately funds fire suppression costs at the 10-year average."

So I take from that that our real gripe ought to be with Senators Byrd and Burns for fouling up the appropriations bill, is that right?

Ms. DORN. Senator, we have requested over the last several years increasing amounts for fire suppression. That is, it has gone from \$141 million in 2001 to \$321 million to \$421 million. There is a steady ramp up in the amount of money that we have requested for firefighting.

The point that I was trying to make is that rather than appropriating that money straight to the fire suppression accounts, it has been divided between the regular account and then a contingent emergency account down below, which is done for budgeting purpose, budget purposes up here. It does not help us in terms of the overall accounts.

The CHAIRMAN. But am I correct that Congress has funded all of the fire suppression money that you have requested? It is just that you do not like the designation of part of it as emergency funds, is that right?

Ms. DORN. We would prefer to have it in the accounts to which we have requested it as a non-emergency account.

The CHAIRMAN. But how does the failure to put it in the right account or designated in the right way lead to the conclusion that if we had done it your way, we would currently be in a much better position to handle this fire season?

Ms. DORN. My understanding of last year's account was that \$200 million of the amount last year was used to repay the previous year. This is a budgeting game between accounts. \$200 million had to go to fund the previous year's account, so we ended up with \$200 million less in the firefighting account.

The CHAIRMAN. And the administration did not favor replenishing that \$200 million that had been used from other accounts the previous year?

Ms. DORN. We were in favor of the budget request that we put forward.

The CHAIRMAN. But the budget request did not ask for any replenishment of those funds.

Ms. DORN. That is my understanding, sir.

The CHAIRMAN. So the administration did not ask for as much as Congress wound up appropriating, is that what I am hearing, last year?

Ms. DORN. I am sorry. I missed your point.

The CHAIRMAN. Am I understanding correctly that last year the administration did not ask for as much funding as Congress actually wound up appropriating, because you did not ask for any funds to replenish those accounts that had been used up in the previous year?

Ms. DORN. We did favor repayment of the monies. What we did not get was what the President's budget request was for firefighting. We had to take \$200 million of that to repay the previous year. We ended up \$200 million short.

The CHAIRMAN. That is not consistent with my understanding of the situation. My understanding is the Congress did appropriate all of the money that you asked for for fire suppression. In addition, Congress appropriated the funds necessary to replenish the other accounts that had been borrowed from. We have some experts on budgeting and appropriations around here.

I am sorry Senator Burns has left. Maybe he could enlighten us on this. This is his subcommittee.

But let me defer to my colleagues. Senator Domenici.

Senator DOMENICI. Well, here again, there is so many people who want to be heard, and I have an awful lot of questions, but I am going to be as brief as I can.

Let me talk with you first, Secretary Dorn. What is your title—what do they call you?

Ms. DORN. Nancy Dorn is fine, Senator.

Senator DOMENICI. Nancy Dorn is all right with you?

Ms. DORN. That is fine.

Senator DOMENICI. You are an untitled leader.

Okay. Now, look, you all asked the Congress for a supplemental. Pretty soon, its time of need will have passed and many problems that did not exist when you sent it up here will occur and accrue, and people will be needing money for things that the emergencies caught up with, you know.

Ms. DORN. That is correct.

Senator DOMENICI. Okay. Now, nonetheless you had a dollar figure that represented the amount you asked for in that urgent supplemental. Do you remember the number?

Ms. DORN. The President requested \$27.1 million—billion in the supplemental.

Senator DOMENICI. Now, what has been happening—you correct me if I am right or not. Regardless of what is in the accounts that make up this total, you and the Congress have been arguing about the \$27.1 billion amount, is that not right?

Ms. DORN. Well, Senator, we had a bill that came out of the House at \$28.8 billion that the President has indicated that was acceptable. The Senate bill was about \$32 billion. And the Congress is currently trying to narrow those differences between the two bills.

Senator DOMENICI. Okay. So I mean, I am not trying to be difficult. I am really trying to help, but I think I know what has happened, but I cannot get anybody other than myself to admit it. And I am nothing, do you understand? I am just talking for myself.

So let us talk about that number \$27.1 billion. What number did it get to with the President still saying, “I will accept it”? Was there not an additional number, something was added to it?

Ms. DORN. The President had indicated that the House-passed level at \$28.8 billion—

Senator DOMENICI. Okay.

Ms. DORN [continuing]. Was an acceptable number.

Senator DOMENICI. So now we are arguing about \$28.8 billion, and you all say, “We will sign a bill if it is at \$28.8 billion, but if it is higher, we will not sign it,” right?

Ms. DORN. Well, Senator, we tried to accommodate the Congress’s priorities—

Senator DOMENICI. Well, tell me what the argument is, ma’am.

Ms. DORN [continuing]. Within that total. But I think we are getting very close on coming to a number that everybody can live with.

Senator DOMENICI. Okay. Now, here is what I see happening. I see you all arguing about a number of \$28.8 billion, and we are arguing about something completely different. And when we ask you the question, you talk about \$28.8 billion.

Let me see if I can ask you or get you to answer this question without referring to the \$28.8 billion. My staff and your boss, your boss 5 hours ago, had indicated that we borrowed money to pay for forest firefighting from other items within the Interior Department budget. And they go through and find how much have we borrowed.

The purpose of that as being two-fold: One, you have got to find out—got to get the money some day; and second you have got to know how much you have left to do the work.

My friend, John Kyl, talks about the fact that you have used up all of the money by borrowing from accounts, and the borrowed ac-

counts are needed to fix the forests. It is not like the borrowed accounts are about something that is going to happen 2 years from now. You have got to use them in the burned forests to fix them. And there is more than a few hundred million.

So between your boss and one of our staff, they had said, "To replenish the accounts and make them whole, you need \$2.07 billion"—let us round it—or was it \$1.07 billion?

STAFF. \$1.07 billion.

Senator DOMENICI. \$1.07 billion. So let us call it \$1.1 billion. Now, is that right? Is that number part of this or not?

Ms. DORN. Well, Senator, let me just say that our current projections are not that—

Senator DOMENICI. Tell me how much it is. How much do you owe?

Ms. DORN. Well, let me defer to my friend from the USDA.

Senator DOMENICI. How much do you owe accounts within the Department?

Ms. DORN. Well, currently, Senator, we only started transferring money from other accounts last Friday. That—

Senator DOMENICI. Well, that is \$100 million.

Ms. DORN. Right.

Senator DOMENICI. That is not what we are talking about.

Ms. DORN. Right.

Senator DOMENICI. We already know about that \$100 million.

Ms. DORN. We have not transferred money in any great amounts yet to these accounts in either Interior or Agriculture.

Senator DOMENICI. You know, I really am trying to get an answer. And if I do not get it soon, I will let somebody else try.

Mr. REY. The number that you are referring—the number that you—

Senator DOMENICI. Let me say that what somebody was trying to do up here was a very good thing. They were saying "Why do we not make the accounts of Interior whole, so that there will not be any problem when the rest of the forest firefighting has to take place, or anything that is needed for forest firefighting has to be funded?"

Somebody said, "Why do we not get that money?"

Somebody followed and said, "Wonderful. Why do we not get it in the supplemental?"

Now, we started with that; and somewhere or another, the wires crossed as to what we were trying to do up here, and what you all were telling us how much it would cost and what we could do or what we could not do.

The truth of the matter is when you finish today and go back and go through this, you are going to find that to make all of the accounts whole, you are going to need \$1.07 billion. Now, assume that is right; do not argue with me. Assume that is right. Assume that is right.

What in the world is wrong with adding it to the appropriation bill? Now, I will tell you what I think is wrong. And I do not say this in any—or with any malice, just as I see it.

You do not want to exceed the \$28.8 billion. And if we said, "Put this money in because you need it," you have got to say, "Well, the

President is going to have to sign a bill that is going to be \$29.9 billion,” and we will not do it.

And I asked you that on the phone, and your answer is, “No. We do not need any more money. We have already agreed on \$28.8 billion. That is it.” And I say to you they are two different issues.

One is everything that is in the bill. And then \$1.1 billion that we are going to put in the bill, but what are we putting it in for? We are putting it in to take the place of borrowed money in the accounts.

And your answer is, “The President will not sign that bill.” That is how I see it.

Now, have you analyzed it that way, Senator Kyl?

No? You do not have to then. Let me go on.

[Laughter.]

Senator DOMENICI. Who is in charge here?

Senator KYL. Do not ask me. [Laughter.]

Senator DOMENICI. I will tell you, I guarantee you that is right.

Senator WYDEN [PRESIDING]. I thank my colleague. And we will just proceed with each Senator getting 5 minutes in the regular order.

Ms. Dorn, let me see if I can go back just to the question that Chairman Bingaman talked about, the question of firefighting on the supplemental bill. And your response is that discussions are ongoing on that. That is what you told Chairman Bingaman.

Ms. DORN. Yes, sir.

Senator WYDEN. All over the West, there are thousands of families that are bleeding right now. They have lost their homes. They just are devastated. And they want to know what we are going to do to help them. And you have told us today that discussions are ongoing. And that is not much solace to all those people that have been flattened, that just have been hammered in the last few weeks.

What can we do to turn discussions that are ongoing into actual help that gets on its way to the West quickly? What else do we have to show them?

Ms. DORN. Well, Senator, the 2002 appropriations process yielded over \$1 billion in, \$1.2 billion, in firefighting resources. We are using those resources to the best of our ability.

We have worked with the USDA and the Department of the Interior to identify additional resources that can be added should additional resources be needed. We are keeping a very close eye on this situation. We are not immune to the difficulties that have occurred in Colorado and Arizona and New Mexico. We are keeping a very close eye on this.

And I would say to you that we would like to work with you all in the context of the appropriations process and in the context of this committee to see what else needs to be done and what else we can do.

Senator WYDEN. Well, I think it is fine to keep a close eye on it, but start by taking a look at your own math at the agency.

By OMB’s own figures, we know that the Forest Service expended its available firefighting funds on July 5. If you use a conservative estimate of firefighting costs of \$5 million per day, the

agency now has a \$55 million deficit with the end of the fire season nowhere in sight.

If you use the agency's math, not somebody who might want to argue another agenda, but using the agency's own math, is it not pretty certain, totally certain by my calculation, based on everything we are seeing that additional appropriations are going to be needed?

Ms. DORN. Well, as I said, we know what the resources that we have currently are.

Senator WYDEN. But take the question I asked, ma'am. With all due respect, that is your math. I mean, given your math, is it not clear that additional resources are going to be needed?

Ms. DORN. Well—

Mr. REY. I think what I would say to you first, for the people that are affected by fires and by this fire season is that everything that can be done is being done. Every fire that is ignited is attacked. And hopefully, as quickly as possible, suppressed.

We have this year, as we have in 4 of the past 6 years, a fire season which will exhaust the appropriated fire suppression dollars. We will, this year, as we did in four of the past six fire seasons, bad fire seasons, borrow from other available accounts to make sure that our firefighting effort is not compromised and that no one's home or community or family are endangered as a consequence of the fire season.

We are, as a result of the Congress's assistance, in 2001 better prepared and better—and more ready for the fire suppression task at hand.

We will assure, as we borrow from available accounts that the last place we go is hazard fuel reduction, because we will not borrow from Peter to pay Paul. If you are hearing that fuel reduction projects are being delayed because of our borrowing strategy, get us the specifics and we will assure you that they are not being delayed because of a lack of funding.

They may be delayed because if they involve prescribed burning, we can no longer safely burn in many parts of the country without risking another Los Alamos. And so some fuel reduction projects are going to be delayed because of the weather.

They may also be delayed in some part because we have taken overhead people, managers and supervisors that we need critically for directing fire suppression efforts off of some fuel reduction projects. But to the maximum extent possible, we will not delay fuel reduction to engage in firefighting. But we will and we do believe we have the resources to assure that we suppress all of the fires that ignite in this fire season.

Senator WYDEN. I would only say—my time is up on this round. That is not what your own people are saying out in the field. Now, let me just read you from a front page article in today's Oregonian.

The headline of it is, "Fire Fighters Shorthanded." And it goes on to quote Don Ferguson of the Bureau of Land Management. He says, and I quote, "It is frustrating. In a couple of days, we are going to have a whole lot of firefighters or a whole lot of fire."

This is what folks, the Forest Service, and the BLM are saying all over the West. They are short handed. They do not have the resources.

I would just hope, and we will ask some more questions on a second round, that you would look at your own math at OMB and you would listen to your own people out on the ground, because right on the front page of today's Oregonian, people at the Bureau of Land Management, the people who work for you all, are saying they do not have the tools.

The Senator from Wyoming was next.

Senator THOMAS. Thank you.

Well, it is a little confusing here what we are doing financially. I would have to say to my friend from Oregon that having been involved in a few fires myself, there is never enough people. Any one who is there is going to say "We could use more people," so that may not be exactly the case.

I guess, as we look now, you are going to have to find the money to fight the fire now, obviously, and do that. As you look towards your budget that is now being considered, is there money both for firefighting and for trying to do the thinning and the things that need to be done to try and avoid fires?

Mr. REY. There is money in the 2002 budget and money in the 2003 budget that is making its way through Congress. And there will be money in the 2004 budget.

We are maintaining our commitment to the National Fire Plan, both in appropriating money, which we have been ramping up in the last two cycles since we started work under the Fire Plan and in selecting the projects that should deserve the highest priority in fuel reduction work we do.

Senator THOMAS. What is your view on what they are doing with the roadless aspect of it, in terms of fire avoidance? Have you changed the policy on roadless? Are we now still fighting that battle we had several years ago, or are we now being able to do more to suppress fires, to avoid fires?

Mr. REY. Suppression has not been affected with regard to roadless or roadless area characterization. We suppress in both roadless and roadless areas, particularly in these kinds of weather conditions.

What we can tell you is that we have fires burning in both roadless and roadless areas. In roadless areas, we get a higher incidence of ignition, because access brings people. People are the primary cause of wild fire ignitions.

In roadless areas, however, we have a higher level of success in initial attack than we do in roadless areas, because access allows firefighters to get in quicker as well. So it is a mixed bag.

In terms of fuel reduction activities, where we have a significant challenge with regard to fuel reduction work in roadless areas, even though the now enjoined Clinton administration Roadless Rule exempted fuel reduction activities from being prohibited, what we are finding is that as we schedule fuel reduction activities in roadless activities, those are the projects that more frequently than not are being appealed or litigated.

Senator THOMAS. As you make transfers, apparently nearly \$800 million from other accounts, are those accounts that need to be repaid or are those, in some cases, some accounts that can be tightened up with less need for—or less expenditures? How do you—

your paper from the Forest Service says the transfer of \$749 million available from other accounts.

Mr. REY. That \$749 million would not be transferred all at once.

Senator THOMAS. Yes, I understand.

Mr. REY. We have staged transfers that will occur from now until the end of the fiscal year. It is our expectation that most, if not all, of that money would be replenished once we understand how much we have borrowed or will likely need to be borrowed in the 2003 appropriations bill, as Ms. Dorn indicated. So most of those are not accounts that we can later short, although we do look at that every year.

There was a comment at the beginning of the hearing that we failed to repay a fuel reduction account of some \$10 million in a previous year. The reason for that was that we were already into the next fiscal year. The fuel reduction work that was deferred was work that was deferred because a chunk of it was prescribed fire, which we could not reclaim, and a chunk of it was priority fuel projects that we just picked up with the operating budget of the subsequent year. So most of those accounts will be replenished.

Senator THOMAS. I see. You know, we are in a number of emergencies, whether it be homeland defense, or whether it be terrorism. Sometimes you have to offset emergencies by reducing some of the normal costs. I do not find that to be particularly offensive.

Ms. DORN. And I think as we go forward through the summer, we will look at the unobligated balances in the other accounts at the Department of the Interior and Forest Service to basically ensure that projects are not stopped or, you know, acquisitions are not foreclosed if they are ready to go.

So as I said, they ended last year. If last year was any indication, we did borrow several hundred million dollars from accounts, which then at the end of the year still had over \$1 billion in unobligated balances in them.

Senator WYDEN. The time, gentlemen, on this round has expired, and we will have other rounds. Senator Kyl is next.

Senator KYL. Thank you, Mr. Chairman.

Mr. Rey, you just testified that the two things that might cause fuel reduction to be reduced this year below that which is called for under the National Fire Plan would be the combination of bad burning conditions for prescribed burns and staff redeployed to be involved in the firefighting efforts.

I think this shows two things, because both of these are predictable. I mean, we are in a drought cycle. We have been in a drought cycle, and, at least a 12-month drought cycle is predictable, so one can know that that is going to make it difficult to do prescribed burns.

It also demonstrates that there is too much reliance on prescribed burns without thinning. If you look at the National Fire Plan for the Forest Service, in terms of treatment for fiscal year 2002, only 132,000 acres are planned to be mechanically treated, whereas 1,192,000-plus are to be treated by prescribed fire.

So you have got almost a ten-to-one ratio. Your statistics can look pretty good if you are just burning, but as we can see, because of the drought conditions, we are not going to be able to burn. As a result, if you look at where we are at a point halfway through

the year nationwide, you have less than 30,000 acres that have been mechanically thinned.

In the State of Arizona, this just concluded fire burned almost 500,000 acres. Through the mechanical thinning in Arizona, we have completed 821 acres and partially completed 553 acres. I mean that is a pittance. I mean, clearly it is insufficient. It is inadequate.

The GAO report of April 1999, which I know you are familiar with, referred to the Department's own—

Mr. REY. Regrettably, I think I had a role in its creation.

Senator KYL. Yes. Well, and it is a good report, because it referred to the Forest Service's own conclusion that 39 million acres on national forests in the interior West are at high risk of catastrophic wild fire—that is a quotation—because of the increasing number of large—excuse me, because of the over accumulation of vegetation.

And later on in the report, the GAO under the heading, "Time Is Running out for Addressing the Catastrophic Wild Fire Problem" says, "In 1994, only a brief window of opportunity of perhaps 15 to 30 years exists for effective management intervention before damage from uncontrollable wild fires becomes widespread. More than five of those years have already passed," this is in 1999, "leaving only about ten to twenty-five years remaining."

Now, of course, we have another 3 years that have passed. However, there are not 39 million acres left, are there? I mean, how much has burned in the interim? Maybe 5 million acres roughly, more or less. So clearly, there is something wrong with a National Fire Plan that relies primarily on prescribed burning when we know we are not going to be able to get in and do that much prescribed burning. And we have a problem with our supplemental issue when we know that—or we assume that we are going to be redeploying staff and that that will reduce our ability to do fuels reduction programs this year.

My hope is that we will be able to restore some of the funding by a supplemental appropriation in one place or another immediately, not waiting until September when it will be too late to obligate most of that money, because by then we will know that we have fallen behind.

If by your own statistics taking the national numbers now, by mid-year you have completed about 30,000 acres of mechanical thinning out of 132,000 planned, and you have done about 750,000 acres of prescribed burning out of over or about 1.2 million that needs to be done, and we are not going to be able to do a lot more, then clearly we are going to fall short.

I guess one question I would ask is whether you can assure us that even the minimal fire plan that is part of the U.S. Forest Service, will that fire plan be accomplished by the end of the year? And if not, will the additional or will additional funding to support more staff make it possible to at least come fairly close to the goals of the plan, achieving the goals of the plan?

Mr. REY. If we fail to make our fire plan targets at the end of the year, it will not be because of a lack of funding. It will not be from a lack of staff. It will be because the mechanical fuel treatment projects take a lot longer to prepare. They require at least an

environmental assessment; in many cases, an environmental impact statement under the National Environmental Policy Act. And if present trends continue, roughly one-half of them will be appealed.

Senator KYL. And the result of those appeals is?

Mr. REY. Delays, which will put the completion of those projects into a subsequent fiscal year. Now, it may be that eventually we will have a rolling stock of projects, so that when they come out of the appeals process, they will go online, to be replaced in the appeals process by the current year's projects; or it may be that we will reach a greater degree of consensus that this needs to be a top priority.

But you are absolutely correct that the reliance on prescribed burning, as a predominant fuel reduction tool, is neither part of our National Fire Plan strategy nor a sustainable strategy for addressing the problem that we currently see. Instead, we are going to have to develop a greater consensus around the proposition that our number one priority as a society is to thin these stands, and that doing so is going to require a greater degree of trust in one another that we are doing the thinning for the right reason and not for some real or imagined conspiracy to benefit the forest products industry or whoever else might be benefitted from it.

As far as the staffing issues are concerned, those issues will not be resolved overnight by replenishing the accounts that we borrow from in this particular year. The people that we are talking about here are mid- to upper-level supervisors and managers. We are going to have to gradually ramp up that cadre, particularly since many of them are reaching retirement age, so that we do not have to suffer their loss from the fuel reduction projects when we move into Level Five preparedness during the fire season.

But we will not be able to hire and train those people overnight. We are making a good start on that. Some of the people—many of the people that we hired as firefighters with the fire plan money that you provided in fiscal year 2001 will eventually be trained to become the supervisors, the next-level supervisors who will do both fuel reduction work and incident command work to run a Type Two or Type One fire incident.

We just signed a memorandum of agreement with the Department of the Interior and the Department of Labor to open a training school in Sacramento on McClelland Air Force Base property to begin to move the firefighters that we hired with your help last year into the management ranks, and feel very good that the work that we are going to do through that training center will create the next generation of fire supervisors, the people that you met when you toured the Chediski and Rodeo fire incident command centers.

Senator WYDEN. The time of the Senator has expired, and we will have some additional rounds here momentarily.

Senator KYL. Oh, that is fine. Thank you.

Senator WYDEN. The Senator from California.

Senator FEINSTEIN. Thank you very much.

Ms. Dorn, I would be hopeful that you would be able to settle this difference of opinion on the supplemental. I am chairman of military construction and that bill is being held up for need of resolution of this problem.

And I would like to ask that you clear this up within the next day or so, if it is at all possible. I think it is clear to most of us that are appropriators that there is a shortfall of revenue, that it has to be made up, that it should be made up in the supplemental, that that is the appropriate vehicle. It is not military construction.

And yet unless OMB moves, this is not going to happen. Hence, my appeal to you is: Please resolve this, because there is a major stumbling block now in the Senate that is essentially stopping appropriation bills from going forward, because of this problem.

Ms. DORN. Yes. Well, we have been working on the supplemental since late March, so we need to finish it for a number of reasons. But I take your point and we are—

Senator FEINSTEIN. Thanks.

Ms. DORN. Hopefully, we can resolve this issue and a whole host of others.

Senator FEINSTEIN. I hope so. Thank you.

And, Mr. Rey, I actually think you are right on about your comments. You know, being a Westerner, being a Californian, I obviously am very concerned. We have the entire Sierra Nevada range in the highest risk of catastrophic fire. We have got very hot weather, very dry weather.

We have a lot of dead and downed trees. About a third of the Tahoe National Forest is either dead or down. And I think you are right. I do not think you can solve this problem with burning.

I think you have to put in a thinning. I think you have to put in defensible fire zones, which, of course, brings me to one of my favorite topics, which is Quincy. And I have been very disillusioned by the small amount of acreage that has been able, despite the passage of these bills and despite funding that has been available, to go ahead with this pilot project.

I just want to say that I really understand the need to protect the canopy for marbled murrelet and for spotted owls, but if what I think can happen happens, we will not have any canopy left, because it is all going to burn up. So I think you are right on with what you said that there has to be thinning, there has to be defensible fire zones, there has to be a clearing out of a forest that is just immeasurably clotted with non-indigenous trees, with fire hazard all the way through it.

I would like to ask you what you think you can do under the spotted owl guidelines, which now presents another obstacle to be able to move the Quincy project forward.

Mr. REY. I think I am just about as disillusioned as you are with the progress we have made under the Quincy Library bill. I would say as disillusioned, but I think you have earned the right to be more disillusioned than anyone with our progress. And I will not try to claim an equal degree of disillusionment.

We are reviewing the project right now. It is my hope that before the year ends, we will have sorted out ways to make that project go forward as it was originally intended. It was originally intended as a 5-year pilot program. We are now 3 years into, or by the time we sort this out, we will have been 3 years into the program, so it will no longer be a 5-year pilot program.

I believe once we think we have the right formula for how to sort this out and go forward, and address what has been an impediment

to progress that I would like to work with you to see if we can extend the life of the program to give it its full 5 years. I think it deserves that. I think that is what every member of Congress voted on. And I think we owe the people of Quincy no less.

Senator FEINSTEIN. Thank you very much.

Thanks, The CHAIRMAN.

Senator WYDEN. I thank my colleague. We will start another set of rounds of 5 minutes each.

And let me begin with you, Secretary Rey. It is obvious that working with the environmental community is going to just absolutely be key to making any substantial progress on these issues that are so often polarizing.

Describe for me, if you would, some of the work you have done to date in terms of working with the environmental community to address some of the outstanding issues. Thinning would be one, and some of the fire related forest management questions. Tell us what you have done to date to work with the environmental community and about any plans you have for the future and, again, in an effort to try to get some common ground and see if we can make some headway.

Mr. REY. The area where we have had the most sustained success is in working with the environmental community and the Western Governors in the development of the Ten Year Comprehensive Strategy and the Implementation Plan.

We had long and very interesting conference calls with myself, my counterparts, the Department of the Interior, staff from the Western Governors and representatives of the Wilderness Society and the Natural Resources Defense Council. And at the end of the day, I think the resulting work product was a work product that we all not only agreed to, but felt was better for the effort that we put into trying to seek some consensus.

We identified performance measures that we have agreed are reasonable and how to select thinnings and hazard fuel reduction activities. They are provided under Goal Two of the Ten Year Implementation Plan, which I will provide or it has already been provided to the committee, but I will provide it for the record of this hearing as well.

And a good part of those performance measures were to continue to work with them in the selection of these projects. They believe that we should focus our efforts heavily in the wildland urban interface. We do not necessarily disagree with that, except for the fact that there are other areas, including the Santa Fe Watershed, which are critical, but which are not in the wildland urban interface.

What we devised in one of our performance measures is a way to set priorities both within and outside of the wildland urban interface in selecting the projects that we ultimately fund and send through the environmental analysis process.

We are still going to, however, get a lot of appeals. What I have asked the Forest Service to do and what I have tried to do with some success, although not complete success, is try to avoid making the appeals issues an exercise in blaming one another for why this work is not getting done more quickly.

I do not think that is helping anyone, for getting the projects moving forward. I can tell you that as I look at the appellant record for this year's mechanical treatment projects, there is a reason to be somewhat optimistic. If you look at who the appellants are, they are not by and large the national middle-of-the-road environmental groups. You do not see the National Wildlife Federation, the Defenders of Wildlife, the Earth Justice Legal Defense Fund, or with one exception, the Wilderness Society.

What you see are regional groups, who take a more hard line position, I guess you would say, and have in the past indicated that they believe that any timber harvesting has objectionable aspects to it.

I do not know whether I am helping the situation by singling out some groups for a compliment or not, but I think it is worth noting and laudatory that some groups are beginning to move in the direction of working with us to identify where, you know, areas where we can establish priorities to get this work done. And I am committed to meeting with them whenever they want to meet to that end.

Senator WYDEN. Well, I will say publicly what I have told you privately: I think the name of the game is finding ways to make it less attractive to have these appeals. I mean, we found that on the county payments legislation, made it attractive for people to work together rather than sue each other.

Do not just wait for somebody to call you. I think it is incredibly important that you constantly be looking for ways to find some common ground in this regard and, as you know, I am going to continue my efforts this year to try to do that in some areas as well.

Another question for you, Mr. Rey. I know that there has been considerable discussion in the Forest Service about analyzing process predicaments to look at factors that can contribute to delays, and people are now contacting, you know, us about various Forest Service grants and contracts that have already gone through all of the NEPA processes and clearance processes, and were ready to be issued, and they are now being pulled back to pay for firefighting.

What do we do about this situation, because it really is getting acute in a lot of parts of the West?

Mr. REY. If they are fuel reduction projects, they should not be being pulled back; and if you can get me the names of the projects, I will make sure that they are not.

I wanted to, if I could, respond to an earlier comment you made about firefighting resources.

Senator WYDEN. Good.

Mr. REY. There are frequently incidents where our local firefighters believe they need more resources. We rely heavily on the experts at our Incident Command Center in Boise, Idaho, to allocate resources throughout the West and to make sure that each fire is properly staffed. That is the value of an Incident Command System.

Whenever we hear rumblings from local firefighters like the ones you recounted, we will call the people at Boise and ask them to justify the incident—the resources they have deployed on a particular fire. So far, I have done that probably three times this summer.

In each instance, Boise has left me feeling comfortable with an acceptable answer about the level of resources we have deployed to

a particular fire. One of the things about fires, though, is that they attract a lot of people who want to help and sometimes that is helpful. Sometimes it is not.

If you read the cover story on *The New York Times* a week ago this past Sunday, what you read was an unfortunate situation where a lot of New York firefighters came in on a voluntary basis, were unaccounted for by their incident commanders, and perished in a fire where nobody even knew they were onsite, and that is why we put a lot of trust in our incident command system. It has not failed us yet. And I hope it does not.

Senator WYDEN. Thank you. I am not going to make this a headline derby, you know, debate, because I already read the headlines of the *Oregonian*.

Mr. REY. We are going to check on that.

Senator WYDEN. Good. That is what I would ask, because my concern is it was with respect to the OMB's math. And what we are hearing from BLM people out in the region is that this need is acute, and, you know, to me it is just immaterial whether it is proposed by the administration or it comes from Congress. I mean, this waltz is of absolutely no benefit to all of these people hurting.

I think we have to figure out a way to get from the point Ms. Dorn touched on earlier, that discussions were ongoing, to getting people a sense that people in Washington, D.C. get it and understand how serious this is.

With respect to the projects, Secretary Rey, you know, I have got a long list of them in Oregon, Road Decommissioning, in Carol Creek, Noxious Weed Treatment in Hell's Canyon, the Forest Stewardship Project. We will get you that list. I know there is a list in New Mexico. We have got to get those resolved.

And my 5 minutes are up. I know that Senator Kyl is here. I note that Senator Cantwell, I do not think, has had any questions yet.

Have you had a chance to ask—

Senator CANTWELL. I will go ahead and submit—

Senator WYDEN. Well, that is even better.

And let us go with Senator Kyl.

Senator KYL. Okay. Thank you, Mr. Chairman.

Secretary Rey, I heard your comments about urban interface. You heard my opening statement. Would it be beneficial, do you think, for the agency to have more flexibility in how to allocate funds and not have a limitation in the appropriations bill to a fixed 70 percent of the funding for urban interface?

Mr. REY. I think that would be very helpful. What we agreed to as part of the Ten Year Implementation Plan is that we would look at the wildland urban interface and other areas that are in condition Classes Two or Three in Fire Regimes One, Two, or Three outside of the wildland urban interface as our top priority; and that in the latter category of areas, they be identified as a high priority through collaboration with our State and local and private partners. We picked condition Classes Two and Three because those are the worst condition classes; Fire Regimes One, Two, or Three because those are the areas where fires revisit more frequently. And that seemed to be a way of segregating the areas that are most at risk.

We do have a lot of areas outside the wildland urban interface that deserve a high priority either because they are municipal watersheds, they are areas of high environmental value, they are threatened or endangered species habitat, or other of a variety of reasons. And we should, if we can go through a logical prioritization process that involves some cooperation, be able to do that without regard to some arbitrary 70/30 split.

Senator KYL. Thank you. The second question really follows on with that regarding the Ten Year Plan and the goals that the Forest Service stated in the preparatory to this GAO study. By my calculations, the amount of money, something over \$400 million per year, that is being requested will treat about half of the area that would have to be treated in order to meet these goals more or less.

A, is that accurate? And if so, what can we do to increase the amount of land treated? Should we be asking for more money? Should Congress be appropriating more money? And as a part of that, do you think that you will be asking for a greater mix of thinning in the Ten Year Plan, recognizing that we are not going to be able to achieve, at least in these drought conditions, what we need to with regard to prescribed burning? And that in many cases, the forest is too far gone just to do prescribed burning anyway.

Mr. REY. It is our intention in working with our partners in the National Fire Plan to ramp up, with Ms. Dorn's assistance, the funding necessary to achieve the goals of the plans and also to work with the States so that there is some matching funds that they are providing as well as some of our other local partners.

That cannot happen overnight, because it is not just money. It is capability and agency expertise that has to be ramped up as well.

We will, by necessity, be looking at a larger component of mechanical treatments in the overall mix. Prescribed fire is most useful for maintaining less or in a less expensive way a stand, once we have it close to the condition that we want it in. But we are not going to prescribe burn under any scenario of the vast majority of overstocked stands in the Western United States, because we cannot do it safely.

Senator KYL. All right. Thank you. And finally I believe that the Forest Service has both the funding and the legal ability and the personnel ready to do salvage on the fires that are occurring right now or have just been put out. A, is that true? And, B, are you aware that the BIA—does the BIA have any limitations? About 80 percent of the Rodeo, Chediski fire in Arizona was on the White Mountain Apache Reservation, as you know.

They were very anxious to get in there and do whatever salvage they could do, and I am just wondering if you are aware of any limitations. Their bear study should be out very quickly, or report should be out very quickly here, but I just want to make sure if there are any limitations on that that we are able to address them, if possible.

Mr. REY. The Forest Service funds salvage activities as part of restoration work through a revolving fund, so I believe we will have the capability to do what we need to do on Forest Service lands, although I dare say that there will likely be some appeals associated with the salvage activity since there usually are.

I do not know whether the Interior has a similar revolving fund account or whether you would rely on other means, so I will ask Mr. Hartzell to speak to that.

Mr. HARTZELL. Senator, we have been working closely with the tribe on their stabilization efforts and they have a plan that is going to be funded, and they are also talking to us about longer term rehabilitation and restoration.

They have not brought up the issue to me about salvage of burned timber being a problem. And they have not indicated that there will be any impediments, but we will follow up after the hearing and clarify that issue. And if there are any issues, we will get back with you.

Senator KYL. Great. Thank you very much.

Thank you, Mr. Chairman.

Senator WYDEN. The Senator from Washington.

Senator CANTWELL. Thank you, Mr. Chairman.

Mr. Rey, I had a few questions just to follow up on some of the topics already covered. Some of my colleagues have asked questions that I would have asked, so I appreciate your answers to those. And just to follow up on a few, can you give us a precise definition of what the Forest Service would use to define mechanical fuel treatments?

Mr. REY. Mechanical fuel treatment would basically be thinning stands, using either chain saws or a mechanical harvesting. If it is a non-commercial thinning, we would probably lay the material down and maybe drum chop it, if we can, to break it up as fuel.

If there is commercial value to the material, then we would probably try to dispose of it by selling it and conduct the activity either as a timber sale contract or subsequently sell the commercial material in a commodity contract.

Senator CANTWELL. So given that definition, just about anything that removes wood from the forest is a mechanical?

Mr. REY. No. I left one part out. The primary purpose of the activity has to be to improve the condition class of the forest and not to generate commercial revenues. I mean, we do have commercial timber sales—

Senator CANTWELL. So a large clear cut would not fit that definition?

Mr. REY. No, a large clear cut would not be thinning.

Senator CANTWELL. What about a small?

Mr. REY. Probably not. The objective of thinning is to reduce the number of stems per acre. There may be cases where we are creating defensible fuel spaces, where we are clearing off all the material in a linear strip, but thinning projects are generally not clear cuts, even small clear cuts.

Senator CANTWELL. And so then in your moving forward on the fire plan, the highest priority of hazardous fuels reductions will still be in the urban interface?

Mr. REY. The way I would prefer to express it is that we will work with our State and Federal partners and local people to assess priorities. What we have agreed to is that our two highest priorities are the wildland urban interface and areas in Condition Classes Two and Three, which means they are in the most extreme fuel load situation with the largest, most dense number of trees per

acre in Fire Regimes One, Two or Three, which are the parts of the country where fire is a more frequent visitor as opposed to west of the Cascades, where fire is infrequent.

We have, I think, got a broad agreement that those are the kind of areas that ought to be our top priority, and that will select fuel reduction projects first together as a Federal establishment with Interior and Agriculture working together, and then in collaboration with our State, local and private partners, including environmental groups who will work with us to that end.

Senator CANTWELL. Obviously, you have worked with us on the issues related to the 30-mile fire investigation, and I think that sometime in the last couple of months, the Forest Service released basically an administrative review of the 30-mile fire—much of which was redacted. So obviously the committee has asked for that redacted information obviously for their own personal use, not for public consumption. When are we going to see that?

Mr. REY. Under the personnel rules when we proposed a personnel action, which we have done here against 11 employees, the employees have 30 days to respond to try to convince us that we have some of the facts wrong, that the action that we are proposing is unwarranted.

At the end of that 30 days, we finalize our decisions. The time clock on the time they have available to respond to our proposals is the end of July. We will promptly finalize our decisions thereafter.

We would be happy to provide the committee an unredacted version of the report at that time. I am reluctant to offer it to you now, for the following reason: Under our personnel rules, the time period during which our employees are allowed to respond—

Senator CANTWELL. No, I understand.

Mr. REY. Okay.

Senator CANTWELL. So you think that is what? The beginning of August or—

Mr. REY. Yes, probably along about the second week of August or thereabout.

Senator CANTWELL. Okay. Thank you very much.

Thank you, Mr. Chairman.

Senator WYDEN. Only one other question for me, and then perhaps the Senator from Arizona has other questions as well.

In 2000, Secretary Rey, the Congress required the agency to publish a list of the wildland urban interface communities within the vicinity of Federal lands that were at high risk. GAO looked at the agency's August 2001 list and was pretty critical of it. They said there were not well established criteria. And as a result, more than half of the high-risk communities were, in effect, missed.

What has the agency done to go back and try to correct what looks to be, from the General Accounting Office, to be a pretty significant mismatch in terms of what Congress ordered?

Mr. REY. Well, first I think the GAO had a pretty good reason to be critical of that first list. That first list was an effort to work with the communities so that they had the opportunity to offer us their views about whether they were at risk. And the list does not contain what we believe to be the necessary prioritization.

One of the performance measures in the National Fire Plan is to begin to narrow down that list, working with the States. And I will let Mr. Truesdale or Mr. Hartzell, if they want, elaborate on the progress we are making to date in that effort.

Mr. HARTZELL. Senator, Mr. Rey spoke to the collaborative process that we have agreed to in the implementation plan. We require all of our Federal agencies, along with the State representatives from the State forest and local communities to sit down collaboratively every year to identify priorities, including those communities most at risk that we ought to target fuels treatment projects toward.

So there will be a continual annual refinement of those communities at risk and a continual refinement of the fuels treatment projects that are most needed to minimize impacts to communities and the environment.

Senator WYDEN. All right. I am going to let Senator Kyl ask, if he has any questions. But I want to just, as I wrap up this round and we will excuse you after Senator Kyl's questions, just come back to the seriousness of this budget situation.

This is something that I have heard again and again and again across the rural West, and if this is seen as something where the administration does not like what the appropriators do and the Congress does not like what the administration does, this just leaves those families throughout the West, the ones that are hurting already, that much more cynical that their government is not on their side.

My sense is that if you take the most considerable possible math out there, OMB's own math, which is the one I was trying to cite, we desperately need this money. So we ask only that we get beyond the issue of having these ongoing discussions, which seems to be, or it almost seems like the longest running battle since the Trojan War. It just kind of goes on and on with this. We need to get this done.

And we get it done, and then we go onto the question of breaking the cycle, which is really what the fire plan is all about. The point of the fire plan was to say all throughout the West, people understand there has been a cycle. You have fire. You have fire suppression. You have the question of what happens with fuels reduction money, and it will be a strip, so to speak. It just goes round, and round, and round.

And the point of the plan is to break that cycle, but it is hard to talk about breaking that cycle over 10 years when people are facing such anguish today.

Ms. DORN. Senator, can I just make a quick comment?

Senator WYDEN. Of course.

Ms. DORN. And that is to say that in the last couple of years we have put an increased amount of resources into fire suppression, prevention and other accounts. The fire account has grown over the last couple of years, and I think this summer has been an eye-opening experience for us.

We are not trying to play games with this. We would like to get away from these contingent emergency accounts that have earmarks in them, and just do this in a straightforward way.

We have also talked about maybe trying to put the fire money in a more flexible, you know, sort of trust fund kind of deal, so that when we do have more active fire years, we are not coming up here and they do not become vehicles for supplementals that other things attach to them. We will be looking at this in the very near future as we put together the 2004 budget and I think you are exactly right. We need to find a way to deal with this that takes some of the irrationality out of it and some of the high swings and low swings out of it. So work—

Senator WYDEN. Let us deal with it for the next cycle, but let us try to get some help quickly to the people that are hurting. I think that Senator Domenici spoke for a lot of us. This is going to get done one way or another. And what is going to happen is if we cannot come to some resolution of this, it is going to be more expensive and more people are going to needlessly suffer than I think anybody would want to see.

I am going to recognize Senator Kyl, if he wants to wrap up this round. I mean you saw across this side of the dais, particularly a message for people at OMB, from Senator Domenici to several Democrats who have come back off and on over the last 2½ hours, how important we regard this issue. We are anxious to work cooperatively with you and in a bipartisan way, but it has got to get done.

Senator KYL.

Senator KYL. Thank you, Mr. Chairman.

We have a lot of other questions and particularly, I know, of Secretary Rey, but I believe that because of legislation that you and I will be introducing that seeks to try to streamline the process for getting approval of projects, not to deny any appropriate substantively—substantive legal challenge, but to try to at least remove this element of delay that you spoke to earlier, our legislation is going to try to do that, and I am hopeful that in that context we will have a quick hearing and we will be able to bring you back and get some more ideas with respect to that. And then with respect to the last comment you made, of course, I concur.

But you skipped over one year, and if I could make this plea: I know that the fundamental reform or restructuring with respect to an emergency fund versus other kinds of funding will presumably have to wait till the 2004 fiscal year budget. But just as September 11 changed everything with respect to funding as well as other things relating to homeland security and national security, I think it is evident by now that we need to build on the increases in funding that the Bush administration has put into the budget for prevention, for the fuels management kinds of programs we are talking about, and that that needs to be reflected in the fiscal year 2003 budget.

I know that it is late in the game for the 2003 budget, but otherwise we would be relegated really to beginning to work on this in October 2004, and that is a long time to defer some of the things that have to be done given the degree of urgency that the GAO and, I think, all of our land managers attach to the desirability of getting these forests treated in the proper way.

So I would just urge you to take back to the Director and others in the administration the expressions of urgency that you heard

here, and to the extent that funds can be available for fiscal 2003 to work with us to make sure that those are included, and obviously that means working with the appropriations committee.

And I take your point that that means having the appropriations committee be honest about the allocation of those funds, differentiating between the contingency and the actual funding of firefighting.

Ms. DORN. Yes.

Senator KYL. That is, you need to be explicit in your comments as you were in your written testimony and make the point, because it appears to me to be a valid point.

Ms. DORN. We have gone, Senator, from \$85 million in hazardous fuels management in 2001 to a \$228 million request in this fiscal year. And we have expectations that the Congress is going to appropriate that money. And we will work with them to make sure that that account is taken care of.

Mr. REY. Additionally, if you are successful in securing some consensus for some of the process changes that you were referencing, that should decrease our unit costs for doing this kind of work and stretch the dollars further.

Senator KYL. Right.

Thank you, Mr. Chairman.

Senator WYDEN. I thank my colleague and because of his clarifications, I think we now have the math as definitive as we can get. We need help on the emergency supplemental for 2002, and then we are looking to try to get it right for 2003 and 2004.

And I also want to say to my colleague, I very much look forward to working with him on some of these issues to make it attractive for people to find the common ground and stay away from appeals. As Secretary Rey knows, we were able to do that on the county payments bill. We made it attractive for people to see that it was in their interest to work together. And I am committed to working with the Senator from Arizona to doing that here.

Unless there is anything that you all would like to add further, we will excuse you at this time. Any of our witnesses want to add anything further?

[No response.]

Senator WYDEN. You are excused at this time.

Our next panel, Lynn Jungwirth, executive director of the Watershed Research and Training Center; William Wallace Covington, director of the Ecological Restoration Institute; and Todd Schulke, forest policy director of the Center for Biological Diversity.

[Pause.]

Senator WYDEN. All right. The hour is late. We very much appreciate your patience. We are going to make your prepared statements a part of the hearing record in its entirety. And if you would, just take your 5 minutes or so and summarize your principal concerns.

It is good to have you back, Ms. Jungwirth. We know of the good work that you all are doing, and just please proceed.

**STATEMENT OF LYNN JUNGWIRTH, DIRECTOR,
WATERSHED CENTER, HAYFORK, CA**

Ms. JUNGWIRTH. I am here to just speak to one issue, and that is the issue of expediency. I think it was amazing that this hearing started out with everyone speaking of an emergency and a crisis, and we ended up being reassured by OMB and the Forest Service that "Everything is just fine and under control, thank you very much."

While I appreciate their confidence, I have to tell you that my experience in the forest and my experience working with the forest communities of the West, which I do every day, would not lead one to have that level of confidence.

What has happened with this borrowing, which we have all been assured will be repaid sooner or later, is that it has put terribly important, critical, crucial projects on hold indefinitely. Now, what does that mean? That means that the very contracting small business workers and families that you are going to rely upon to do the restoration work are going broke. They have been going broke for about the last ten years as the timber industry has shut down.

Those who held on, who retooled, who reeducated themselves to do ecosystem management and restoration are relying upon those restoration jobs that are now on hold. Those communities that are trying to figure out what to do with small diameter material were relying upon the grants that are now on hold.

Well, maybe the Federal Government can on-hold its payments to itself, so that next year takes this expense, but who did they really borrow from? They borrowed from those small contractors, the contractors who had been awarded contracts, who geared up for contracts, and are now being told, "Sorry, it is on hold. Your equipment payment is on hold. Your workers' salaries is on hold so that we can borrow the money next year."

For them, this is a crucial issue. If you want to have a work force to help you garden that forest, to help you do the restoration work, you have to protect those people. They have not been protected for a very long time. You are starting to lose them.

I encourage you to keep the pressure on OMB. This is not a simple thing. It is not, "Oh, by October, maybe we will figure out what the real number is, and then we can release the funds."

These are crucial programs. You either take care of the roads, take care of the forests, do this restoration work, or you will lose it. Bankruptcy by either industrial forestry or no forest management is not acceptable to the people of the forest. We want to live there. We want to help you take care of it. We do not want to live in an ashtray.

So we will be there. You help us get the funds to do the restoration, and we will do it.

Thank you.

[The prepared statement of Ms. Jungwirth follows:]

PREPARED STATEMENT OF LYNN JUNGWIRTH, DIRECTOR,
WATERSHED CENTER, HAYFORK, CA

Thank you for the opportunity to provide a perspective from rural forest-dependent communities on issues related to emergency wildfire suppression funding and the current situation we are all facing in the West. We believe the challenge is for Congress and the Administration to find a way to fund emergency wildfire suppression.

sion costs as quickly as possible so as 1) to maintain other programs critical to addressing long-term wildfire concerns and 2) to avoid significant social and economic consequences in many rural forest-dependent communities.

The Watershed Center is a community-based, worker organization, started in 1993 to help our community of Hayfork and Trinity County adjust to the social and economic changes caused by the Dwyer decision and the subsequent Northwest Forest Plan. We have helped develop community infrastructure for the transition from a timber-based economy to an economy dependent upon ecosystem management, watershed restoration, and the health and welfare of threatened and endangered species, such as the Northern Spotted Owl and the Coho Salmon. We also helped develop worker training programs, small-diameter timber utilization projects, collaborative stewardship projects, monitoring, local and county level fire plans, and research on non-timber forest products. We have implemented restoration plans for the Trinity River and forest health projects in the Trinity and Six-Rivers National Forests. We are a community of innovators and implementers, trying to take the evolving science and policy direction and help develop practical programs that sustain both the forest and our community.

I also interact with community networks regionally and nationwide. The Watershed Center coordinates the Pacific Northwest Regional monitoring team for the USDA Forest Service stewardship contracting pilots. We have also worked with other community-based groups from the Okanagen to the Mendocino, including the Applegate Partnership Group and the Quincy Library Group, the Mattole Restoration Council and the Hoopa Tribe. As former Chairperson of the Communities Committee of the 7th American Forest Congress, I have worked with a network of nationwide community leaders and practitioners to heighten awareness and understanding of the interdependence between forests and communities. Many of us have worked on projects to restore healthy forests and watersheds, while building local capacity through workforce training and the development of small nonprofit groups and business enterprises. Of relevance to this hearing, I served as a community representative on the Western Governor Association's efforts to develop a ten-year comprehensive wildfire strategy.

A COMMUNITY-BASED APPROACH TO ADDRESSING WILDFIRE

As a group of community-based forest practitioners, we have been closely engaged in national policy discussions over the past few years about how to address wildfire concerns. In general, we have been enthusiastic about the policy frameworks put together at the urging of Congress to deal with these issues. The National Fire Plan developed by the Forest Service and Interior Department places significant new emphasis on hazardous fuels reduction, on assisting and working with communities, and on accountability. We agree with the General Accounting Office (GAO-02-259) assessment that "the National Fire Plan advocates a new approach to wildland fires," an approach that "shifts emphasis from reactive to proactive—from attempting to suppress wildland fires to reducing the buildup of hazardous vegetation that fuels severe fires." The 10-Year Comprehensive Strategy developed through the Western Governors Association in cooperation with the federal agencies and other state and local entities, including Tribal, environmental, private landowner, and community-based forestry representatives, contained a similar emphasis on the need for long-term investment in hazardous fuels reduction activities. It also gave further emphasis to the importance of collaboration with local communities and to monitoring the results of activities for accountability and learning.

We in the community-based forest movement have developed a framework for addressing wildfire that seeks to integrate wildfire concerns with the broader goals of ecosystem restoration and social and economic development in rural communities. A "community-based approach to wildfire management" means:

- involving communities through collaborative processes,
- investing in activities to restore the health of natural systems and nearby communities,
- using both scientific expertise and on-the-ground knowledge, and
- developing a system of monitoring, accountability, and learning.

One of the central elements of this community-based approach is sustained investment in preventative measures aimed at restoring forest ecosystems to conditions that are more adapted to wildfire and that reduce the risk of destructive wildfires. These types of preventative measures also help build capacity in rural communities to sustain a variety of restoration and stewardship activities in forests over time, involving skill training and job opportunities for a restoration workforce and the development of non-profit organizations and small-scale business enterprises. Although we recognize the need to maintain strong financial support for fire suppres-

sion activities, we believe it is a better long-term investment for Congress and the Administration to emphasize greater funding for preventative fire measures through communities than to continue increasing funding for fire suppression. Investing in preventative measures now is the only way to reduce suppression costs in the long-term. We have included a side-by-side comparison presenting some of our rationale for this perspective.

TRADITIONAL COMPARED TO COMMUNITY-BASED APPROACHES TO FIRE MANAGEMENT

[Prepared by Cecilia Danks and Lynn Jungwirth, Watershed Research and Training Center]

Traditional approach to fire management	Community-based approach to fire management
Fire is seen as catastrophic	Fire plays a vital role in maintaining and restoring ecosystem health
Fire is suppressed	Fire is used as one of many tools to improve forest health, reduce the risk of large-scale fire, and fight fires that pose risks to forest or community well-being
Majority of funding is allocated to suppression activities, with little funding for fuels management	Majority of funding is allocated for fuels management with resources available for emergency suppression activities
Traditional science is used to the exclusion of local knowledge	Traditional science is combined with local knowledge
Management capacity is centralized	Management capacity is decentralized
Special crews, such as incident command teams and hotshot smoke jumpers, are mobilized	Crews are place-based and multi-purpose with skills to address fire, fuels, and ecosystem management needs
Communities are viewed as populations to protect	Communities are viewed as populations to engage in decision-making and implementation activities; management is integrative
Activity is short-term and intense	Provides the opportunity to invest in long-term objectives and activities

THE CURRENT FUNDING CRISIS

As community-based forest practitioners have engaged in efforts to implement the National Fire Plan and the 10-Year Comprehensive Strategy, we have sought to work collaboratively with the federal agencies on those priorities of greatest importance to us. We have worked with the agencies on community fire planning to help build common understanding of local priorities and on efforts to plan, implement, and monitor hazardous fuels reduction and other forest restoration projects. We were pleased with and have sought to build on new authorities and investments under the National Fire Plan (Title IV of the FY 2001 Interior Appropriations bill and Title II of the FY 2002 Interior Appropriations bill) which allow the federal agencies to use cooperative agreements, grants, and contracts with community-based organizations in implementing hazardous fuels reduction activities. The contracting provisions also authorize the agencies to consider social and economic benefits to rural communities when weighing competitive bids and to let contracts on a "best-value basis." These authorities and the federal investments in hazardous fuels reduction activities are critical to community groups hoping to realize our vision of integrating forest restoration activities with rural development. This investment by Congress is also a critical means for the agency to engage with diverse interests and local partners to develop community-based wildfire strategies and projects that can be openly designed, implemented, and monitored. In addition, increased funding under the National Fire Plan for the Economic Action Program (EAP) has been critical to our efforts. Community groups have found the EAP pro-

grams to be the most effective Forest Service programs to help build community capacity to work collaboratively with the agencies and to address emerging issues with innovative responses. EAP dollars have also been some of the most effective funding on the ground under the National Fire Plan. Approximately 150-200 projects were developed and implemented with EAP dollars allocated under the National Fire Plan in FY 2002.

Community-based forestry groups have had various experiences in working with the federal agencies on these National Fire Plan programs. In some regions and some places, they have had greater success in developing collaborative plans and projects than in others. The goal of most community groups is to build on the National Fire Plan program authorities and funds to develop a "consistent program of work" through which they can build and sustain a local workforce and infrastructure for forest restoration work. A consistent program of work requires consistent authorities and funding.

The current crisis in wildfire suppression funding, brought on by this year's extraordinary fire season, and the Forest Service Chief's July 8th directive to stop or defer funds for many important projects those not related to fire suppression has caused concern and outrage among many community forestry groups. The Chief's action might be warranted and necessary given the lack of emergency suppression funds forthcoming from the Administration and Congress, but it will have dire consequences for community forestry groups that have been working diligently to develop community fire planning, hazardous fuels reduction, and restoration projects with federal agencies, only to have the funds pulled away for fire suppression. It will also have significant consequences for the ecosystems on which they are supposed to be implementing restoration projects. Over the next several years there is an urgent need to invest adequately in fire suppression and forest health. Without necessary and sufficient investment in both areas we cannot resolve the root causes of the current wildfire crisis and protect lives, homes and property. With dual investment, we can improve the condition of our National Forest lands and reverse the economic stagnation of forest-dependent communities across the West. In short, we need an investment in the full mission and purpose of the National Forest Service.

We urge the Administration and Congress to provide immediate emergency funds for FY 2002 wildfire suppression costs. Without these funds, communities all over the country that have worked persistently, creatively, and collaboratively with federal agencies to develop agreements and contracts to get the preventative work—the hazardous fuels reduction and forest restoration work—done will suffer. This directive will have tremendous impacts on virtually all communities. The development of a restoration and stewardship workforce takes time and sustained commitment. While many in the local workforce benefit from fire suppression work, this type of work does not create the foundation for a sustained business transition. We believe that the House and Senate Appropriations committees are likely to provide supplemental FY 2002 funds for wildfire suppression along with the FY 2003 Interior Appropriations bill, but if these funds are not available until October of this year, many of the impacts will still be felt instantly by communities, and they could have longer-term consequences. Therefore we urge you to take action immediately, so critical work by community groups other than fire suppression can continue.

The actual impacts of the Chief's directive to stop or defer a large number of activities not related to fire suppression are difficult to assess. Many people in the agency's field offices were expecting such action, but the July 8th directive came down with greater than anticipated severity. Because projected wildfire suppression costs for the year kept escalating over recent weeks, the need to "borrow" funds from other agency programs also increased. Projected suppression costs reached \$966 million, three times the appropriated level of \$321 million for the year. Therefore, agency officials who had been cautiously awaiting the directive found themselves having to pull and defer funds beyond their highest level of projections. Rather than being a slow withdrawal of projects related a small number of budget programs (EBLs), many budget programs and a large number of projects were affected. The impacts of the directive came as a shock to agency officials on the ground, and an even greater shock to affected community groups. The impacts of the directive are immediate and pervasive, potentially stopping the majority of grants and agreements with community groups, if projects are not directly related to fire suppression. Four key provisions of the directive affecting communities are:

- Do not obligate funds for execution of any land acquisition or forest legacy projects.
- Do not issue any grants or agreements that will result in obligations of FY 2002 or prior year funds.

- Defer award of any non-emergency contracts for any purpose other than those contracts required for critical on-going business.
- Defer any procurements of non-critical projects and acquisition.

Wallowa Resources, one of our community partners in northeastern Oregon, has scrambled to assess some of the impacts of the Chief's directive on their work with the Forest Service and with the State of Oregon. As I said, this process is moving very fast and is difficult to assess. However, from what Wallowa Resources can determine, a number of projects that they have been developing for some time with the agency will now be stopped, including:

- A road decommissioning project on Carol Creek;
- Noxious weed treatment in Hells Canyon National Recreation Area focusing on restoration of the burned areas from the 2000 and 2001 wildfires (combined total of more than 125,000 acres);
- Stream restoration activities involving fencing;
- Seed collection activities for native plant restoration work;
- \$12,000 for implementing a community planning process;
- A forest stewardship project called Big Haus.

In addition, Wallowa Resources learned that funding coming through the Oregon Department of Forestry for hazardous fuels reduction activities in the wildland-urban interface (\$125,000) would likely be stopped by the directive. For one small rural community to take so many hits as a result of the Chief's directive is an outrage. Diane Snyder, Executive Director of Wallowa Resources, would like to have been here today to discuss the impacts, but other commitments didn't allow her to attend this hearing. Besides disrupting these projects, many of which were coming to fruition after months or years of work, and putting people out of work in a completely unplanned, unexpected way, the directive can have long-lasting negative impacts in Wallowa County by further diminishing the local infrastructure for forest restoration and the vital efforts of groups like Wallowa Resources to help establish innovative and sustainable forest stewardship activities that can sustain community well being. Similar impacts are likely to be experienced in Grant and Harney counties of Oregon due to the loss of expected funds for a \$250,000 small-diameter thinning and fuels removal project that local communities had worked on with the Malheur National Forest for a long time. The loss of these funds, just as the communities and contractors were gearing up to implement projects, are likely to have the following consequences:

- Loss of contracting capacity and infrastructure within Grant and Harney counties;
- Loss of confidence in future community collaboration efforts;
- Loss of potential secondary wood processing and biomass businesses;
- Loss of more than \$100,000 from a National Fire Plan grant that was already awarded to purchase equipment.

These are just a couple of examples from communities anticipating the effects of the Chief's directive, but such effects will be felt in communities across the country, and they will greatly impede the agency's efforts to meet the goals of the National Fire Plan related to hazardous fuels reduction, forest restoration, and community assistance.

In addition, in a statement before the House Resources Committee on gridlock in the Forest Service, Chief Bosworth commented on the need to create incentives and support for community collaboration because of the innovative and potentially enduring solutions from broad-based community groups for our most pressing natural resource concerns. Without the necessary suppression money, which in turn will allow restoration work to continue on the forests, we will have further disincentives for restoration. There is a fundamental disconnect between the direction the agency says it is going—towards community-collaborative and preventative measures—and what it is actually doing—directing funds away from collaborative, long-term efforts and towards reactive fire-suppression efforts. The current actions are perpetuating not only problems related to wildfire, but also broader, long-term problems such as mistrust between the agency and the public and the policy gridlock that prevents work from being done on the ground.

FUTURE NEEDS

If Congress and the Administration are to make reliable commitments to National Fire Plan priorities other than wildfire suppression, they need to develop a better process for dealing with escalating and unpredictable wildfire suppression costs. It is not possible to sustain long-term preventative efforts, such as those where federal agencies work collaboratively with community partners on community fire planning,

fuels reduction, and forest restoration, when the funds might be pulled on short notice for wildfire suppression. Congress and the Administration need to work with the federal agencies to develop better processes for 1) annually estimating the costs of wildfire suppression, given the current conditions in our forests and the numbers and patterns of people in the forest landscape, and 2) providing emergency suppression funds in a rapid and responsible manner when needed, minimizing impacts on other important agency programs. It appears to us that the past history of the Forest Service borrowing funds for wildfire suppression from other budgetary accounts, such as Knutson-Vandenburg fund and the Salvage Sale fund, is no longer viable. In the past, these accounts had sufficient funds from which to borrow and repay, and the impacts of short-term borrowing were not significant. That is no longer true today. We believe that Congress and the Administration will need to respond to extraordinary wildfire seasons as emergencies, while holding the agencies accountable for developing appropriate plans and actions in using suppression funds.

Finally, beyond the need to deal with future wildfire suppression concerns, Congress and the Administration need to find ways to ensure 1) adequate and consistent funding for preventative measures, including community fire planning, hazardous fuels reduction, and monitoring activities, and 2) continued direction and authorities for agencies to work collaboratively with communities through cooperative agreements, grants, and contracts. As I have noted throughout this testimony, community-based forestry groups need greater assurances that long-term federal funding will be provided through the National Fire Plan so that they will be willing to make the efforts necessary to leverage these funds with other public and private dollars and to invest in building local capacity and infrastructure. They also need assurances that there will be long-term policy support for efforts to work openly and collaboratively in developing new preventative approaches that both restore and maintain forest health and provide social and economic benefits in rural communities.

Thank you for the opportunity to share some perspectives from community-based forestry groups regarding these wildfire issues. I would be happy to respond to any questions.

Senator WYDEN. Well said. And I think at least what I saw on this side of the dais is an awful lot of people who agreed with you and an awful lot of people who are not going to let OMB march off in the sunset and say, "Everything is hunky-dory." It was sure not what I heard from Democrats and Republicans on this committee in the Senate.

Let us go now to our next witness, Mr. Covington.
Welcome.

**STATEMENT OF DR. W. WALLACE COVINGTON, DIRECTOR, THE
ECOLOGICAL RESTORATION INSTITUTE, NORTHERN ARI-
ZONA UNIVERSITY**

Dr. COVINGTON. All right. Thank you very much. I am going to, as you suggested, condense this quite a little bit, given the late hour.

And just to start, I am Wally Covington. I am Regents Professor of Forest Ecology, and I direct the Ecological Restoration Institute at Northern Arizona University. For about 30 years now, I have been working on trying to develop scientific rigorous ways to restore forest ecosystem health in the dry forest of the West, especially Ponderosa pine forest, and reduce the threat of crown fires.

I will start with just some general overview comments and then hit the three key points that I have. First, this is not just about drought. The increase in crown fire that we have been seeing in Ponderosa pine and dry forests of the West began in the Forties with very small crown fires on the scale of a few hundred acres. Each decade since the Forties, these fires have increased in size and severity. The fires that we are seeing this season are a little

bit above what our landscape skill, fire behavior models would predict, but not by very much.

To think that we are going to next year maybe have a wet year and we will not see fires like this is a hopeful thought, but not a very realistic one, given the rate of increase in crown closure and fuel accumulation that we have been seeing.

The other thing that I would like to point out before I get into my key point is that this is not just about crown fires. The crown fires are just the latest symptom of an overall comprehensive decline in ecosystem forest since European—in ecosystem health in our forest since European settlement.

The earlier symptoms were declines in native wildlife species, declines in watershed function and structure, and an overall decline in human habitats. So if all we do with this effort that we have now is to reduce crown fires, I think we have failed. We have failed in restoring comprehensively ecosystem health.

Now, research that has been conducted over the past 30 to 40 years has clearly indicated that restoration can prevent crown fires in dry forests of the West, restore ecosystem health and also provide job opportunities in the rural areas of the West.

Further, the researchers clearly have indicated that it does matter what you do. Just removing half of the excess trees is of little benefit to ecosystem health, and of little benefit to reducing severe crown fire behavior. There are substantial differences than between small scale restoration, that is especially with diameter caps. If you thin out the 5-inch trees or 9-inch trees or 12-inch trees, you get very different results, not just for fire behavior, but also for wildlife habitat, for watershed function, and for human habitat relations. It also makes a big difference economically on the utilization potential of the material that is thinned.

My next point is that I think it is very important that we think strategically about this. Now, there has been a lot of focus on the wildland urban interface, and rightly so. This is a key element in the landscapes of the West, but there are other key elements that also are deserving of the same kind of protection that we are focusing our attention on, the structures.

And some of those key elements, for example, are threatened and endangered species habitat, key watersheds. The Santa Fe Watershed we used as an example earlier. Core areas of greater ecosystems; these core areas are often wilderness areas, natural areas or national parks.

These are very critical landscape elements that we need to protect. So strategically, first, we need to put in our restoration-based fuel treatments to protect those key elements.

The second step is to again strategically locate landscape level fuel treatments to break up landscape scale continuity, fuel continuity; and then finally to restore the intervening areas between these anchor points.

And, again, scientific research can help to inform these decisions so that we make the wisest investments to protect the key elements of the ecosystem, including the wildland urban interface and gain maximum ecological and, in many situations, economic benefits from our treatments.

The final point I would make before closing is that it is too late for about 5 to 10 percent of our landscape. It is too late. The areas have already burned or they are going to burn the rest of the season. If you look at it in another way, and it is 90 to 95 percent of the landscape is still in good, or we can still get to.

But to get to that, we have to move promptly. We need to do this by designing treatments with solid science, develop standards and guidelines that are well understood and accessible and practical to managers. We need to use an adaptive management approach in doing this. And finally, we need to support a broad variety of partnership approaches, whether they are citizens-based, organizationally based, or community based partnerships to collaboratively work to implement these restoration treatments.

Thank you very much.

Senator WYDEN. Thank you.

[The prepared statement of Dr. Covington follows:]

PREPARED STATEMENT OF DR. W. WALLACE COVINGTON, DIRECTOR, THE ECOLOGICAL RESTORATION INSTITUTE, NORTHERN ARIZONA UNIVERSITY

Chairman Bingaman, and members of the Committee, thank you for this opportunity to testify on a subject of personal importance to me and of critical importance to the health of our nation's forests and the people and communities that live within them.

My name is Wallace Covington. I am Regents' Professor of Forest Ecology at Northern Arizona University and Director of the Ecological Restoration Institute. I have been a professor teaching and researching fire ecology and restoration management at NAU since 1975. I chair Arizona Governor Jane Dee Hull's Forest Health/Fire Plan Advisory Committee and am a member of the National Commission on Science for Sustainable Forestry.

I have a Ph.D. in forest ecosystem analysis from Yale University and an M.S. in ecology from the University of New Mexico. Over the past 27 years I have taught graduate and undergraduate courses in research methods, ecological restoration, ecosystem management, fire ecology and management, forest management, range management, wildlife management, watershed management, recreation management, park and wildland management, and forest operations research. I have been working in long-term research on fire ecology and management in ponderosa pine and related ecosystems since I moved to Northern Arizona University in 1975. In addition to my publications on forest restoration, I have co-authored scientific papers on a broad variety of topics in forest ecology and resource management including research on fire effects, prescribed burning, thinning, operations research, silviculture, range management, wildlife effects, multi-resource management, forest health, and natural resource conservation.

My testimony will focus on the implementation of the National Fire Plan and the urgent need to increase the pace and size of forest restoration treatments to reverse the trend of increasing catastrophic wildfires. I will outline a three-step approach to help achieve this goal.

Although the general principles that I will discuss apply to the vast majority of the West's dryer forest types, I will focus my testimony on ponderosa pine forests. As the GAO has pointed out over 90 percent of the severe crown fire damage nationally is in this forest type. Although there is plenty of blame to go around, much of the burden for the failure of wildland management policies must rest on natural resource professionals and scientists, who work hard but always seem to offer too little too late in the way of practical advice.

Knowing what we now know, it would be grossly negligent for us not to move forward with large-scale restoration based fuel treatments in the dry forests of the West.

It is an unfortunate set of circumstances that have led to this hearing. Scientists have predicted the current forest crisis for the last 75 years. In 1994 I was senior author on a review paper in which I stated that we could anticipate exponential increases in the severity and extent of catastrophic fire. It is not a prediction I ever wanted to come true. In that same paper, I also suggested that we have a narrow window of 15-30 years to take preventative actions to restore forest health, mini-

mize the loss of civilian and firefighter lives, and the mounting damage to our nation's natural resources.

Although scientists have long foreseen the increase in fire size and severity in ponderosa pine ecosystems, the scale of the fires we have seen so far this year is staggering. Years of neglect are coming home to roost. The Rodeo/Chediski fire in Arizona consumed 469,000 acres and is Arizona's largest wildfire to date. Prior to the 1960s a fifty-acre crown fire was considered a "large fire". In addition, the fire behavior these fires are exhibiting make suppression efforts exceptionally challenging—demonstrating that there are limits to our ability to fight them. The Heyman Fire in Colorado and the Rodeo/Chediski Fire in Arizona are major wakeup calls to all of us.

Clearly, we have to do something quickly on a larger scale to reverse the trend of exponentially increasing fire suppression costs, increases in fire severity, and destruction of what should be a healthy legacy for future generations. Thus far, the National Fire Plan has not resulted in the implementation of large-scale, comprehensive restoration treatments that are required to prevent catastrophic fire. In addition, implementation must focus on the greater landscape as well as the wildland/urban interface to achieve success.

WHY FOREST RESTORATION TREATMENTS WORK

We have been in open revolt against nature in the dry forests of the West since settlement. It is time to start managing in harmony with natural tendencies. Science-based forest restoration treatments are consistent with natural tendencies. Comprehensive restoration is superior to forest thinning alone for one significant reason—restoration treatments simultaneously improve forest health (the underlying cause of catastrophic fire) while reducing fire risk. Restoration treatments permit the safe reintroduction of fire and present a long-term strategy for fixing forests.

Research across the Intermountain West has shown that restoration treatments substantially reduce fire hazard by thinning trees to decrease tree canopy density, break up interconnected canopy fuels, raise the crown base height (the distance from the ground to the crown), and then reduce accumulated forest floor fuels and debris with prescribed fire. Fire alone in the unnaturally dense forests that dominate so much of the West today is inadequate. Without thinning, prescribed burning is an exceedingly dangerous way to get the amount of thinning done that is needed and it can lead to increased mortality, especially among old growth trees. Furthermore, the probability of a prescribed fire escaping its planned burn area are increasingly likely as fuels continue to accumulate.

There is abundant scientific research that began in the 1890's and continues today that provides a sound scientific framework for implementing the science and practice of restoration. We have solid information about forest conditions prior to Euro-American settlement, changes in fire regimes over the last century, deterioration of overall ecosystem health, and ecological responses to thinning and prescribed burning—the key elements of any attempt to restore ecosystem health in ponderosa pine and related ecosystems. We know that current overcrowded stands of trees do not sustain the diversity of wildlife and plants that existed a century ago. We know this by examining the data of early naturalists and scientists. We also know this to be true from primary research. Scientists that have compared biological diversity of overstocked stands—stands that have had decades of fire exclusion—with open, park-like stands that have not had severe fire regime disruption, have found greater plant diversity, greater insect diversity, and greater bird diversity. Similar studies have also found greater old-growth tree vigor and resistance to insect attack in open, park-like stands—stands similar to those present before settlement. We also know that stopping ecologically based forest restoration that includes thinning, is not saving the forest as some would like you to believe, but only contributing to its demise and causing severe losses to the wealth of species that depend on it.

Restoration thinning enhances the productivity (growth) of trees, allowing young trees to develop old-growth characteristics such as large size and full crowns. Perhaps most importantly, restoration has been shown to increase rapidly the productivity of native understory grasses and herbs, the species that make up 90-99% of the plant biological diversity in western fire-adapted forests. The resources provided by abundant understory vegetation—seeds, flowers, fruits, and cover—translate into key wildlife habitat components. For example, the number of butterfly species and individuals increased within two years in Arizona sites that had received ecological restoration treatments.

WHY ATTENTION MUST BE PAID TO BOTH THE WILDLAND/URBAN INTERFACE AND THE GREATER FORESTS

The fires of 2002 and 2000 have focused policy attention on the need to create defensible perimeters around communities in the wildland/urban interface. Without a doubt we need to take action to secure communities. However, defining the "urban/wildland interface" as some sort of narrow ring around a town to protect property will not prevent fires like we have just seen in Arizona to impact towns. In addition, this definition will miss the whole reason for the existence of forest communities.

A town is not just the place where people have homes. Communities are in the forest because they are emotionally, economically, and socially linked and dependent on the forest. When we consider the areas that need immediate treatment we should consider the human community "impact area"—the entire area that if impacted by a catastrophic fire, will undermine the health and livelihood of a community.

Following is a quote from one of the many e-mails and telephone calls I have received from residents in the region burned so severely by the Rodeo/Chediski fire in Arizona this season:

"Many homeowners in the Overgaard community who lost our homes are anxious to make decisions about the possibility of rebuilding. While we know our homes can be reconstructed, we are more concerned about the beautiful forest, now blackened, in our back yards . . ."

The Forest Service Cohesive Strategy includes one aspect of this greater impact area I've mentioned by identifying watersheds as important areas of focus. An excellent example is the Santa Fe Watershed, a 17,000-acre area that provides 40% of the water supply for the city. The fact that the City of Santa Fe, the Forest Service, the Santa Fe Watershed Association (including the Sierra Club, the Audubon Society, and the Nature Conservancy), and citizens are actively designing pre-suppression treatments is commendable.

A second example of an important impact area beyond the town site itself is the San Francisco Peaks north of Flagstaff, Arizona. Recreation and tourism contributes significantly to the Flagstaff economy. A wildfire at the Snowbowl ski area or along one of the many popular trails on the peaks could have a significant impact on many small businesses dependent on recreation dollars. Although it is critical that we design treatments to protect the property of Flagstaff residents, it will be fruitless in the long run if their economic livelihood and quality of life disappears.

Another reason that attention cannot be narrowly focused on a ring around the city is because it will fail to address one of the most contentious issues of our time, the protection of endangered species. Wildfire in the Southwest contributes to the loss of essential habitat for many of these vulnerable species because they are not adapted to stand replacing fires. According to a recent draft plan by the Coconino National Forest, over the last ten years the nesting habitats of six northern goshawks and eight Mexican spotted owls have been eliminated or severely altered by stand replacement fires in the vicinity of the San Francisco Peaks.

Towns are inextricably linked to the greater forest. To treat one and not the other will fail to solve the problem.

STEPS TO IMPLEMENT LANDSCAPE SCALE TREATMENTS

I have been advocating forest restoration over the past 20 years, but my sense of urgency has greatly increased. We need to break the logjam that impedes progress. A logjam that is rooted in distrust, personal preferences and a legal process (NEPA) that should contribute to the design of solutions but is sometimes used to obstruct them. I believe that with thoughtful action, adequate resources and public and private leadership we can solve this logjam and emerge victorious from our current crisis. The three key steps are:

1. Design Treatments Starting With Solid Science and Set Standards for Effectiveness. Ideological issues have been impediments to advancing treatments. Research to date indicates that alternative fuel reduction treatments (e.g., diameter caps for thinning) have strikingly different consequences not just for fire behavior but also for biodiversity, wildlife habitat, tree vigor and forest health. Treatment design should be based on what the forest requires to maintain health and reduce catastrophic fire. Science-based guidelines should be developed and become the foundation for treatments. In addition, they should be the criteria for evaluating the effectiveness of treatments. Guidelines will help guide managers and provide a base of certainty to those that are distrustful of land management agencies. The standard should be clear if a treatment does not permit the safe reintroduction of fire and simultaneously facilitate the restoration of the forest it is not a solution.

2. Reduce Conflict by Using An Adaptive Management Framework To Design and Implement a Series of Treatments. We can wait no longer. Solutions to catastrophic wildfire must be tested and refined in a “learning while doing” mode. Two of the barriers preventing the implementation of landscape scale treatments are the unrealistic desire for scientific certainty and a fear that once an action is selected it becomes a permanent precedent for future management. Scientific certainty will never exist and the past century of forest management demonstrates the need for applied research and active adaptation of management approaches using current knowledge. We should expand our environmental review process to provide approval of a series of iterative treatments, provided they are science based, actively monitored and committed to building from lessons learned and new information.

3. Rebuild Public Trust in Land Management Agencies. Support a Broad Variety of Partnership Approaches for Planning and Implementing Restoration-Based Fuel Treatments. The lack of trust that exists between some members of the public and land management agencies is the genesis for obstructionist actions. The only way to rebuild trust is to develop meaningful collaborations between the agencies, communities and the public. There are emerging models of various forms of collaborative partnerships working to reduce the threat of fire while restoring the forest for its full suite of values. Their success depends on respectful community collaboration, human and financial resources and adequate scientific support to make well informed management decisions. Congress, federal agencies, universities, and non-governmental organizations must support these communities to help them achieve success.

Step One: Design Treatments Starting With Solid Science and Set Standards for Effectiveness

If we wanted to destroy our ponderosa pine forest landscapes, we could hardly come up with a more devastating plan than what we have done and continue to do make a series of management mistakes and then engage in lengthy ideological debates instead of rolling up our sleeves and working to solve the problem. The fires of this year, and the past several decades, have forged a consensus that the problem of catastrophic wildfire is severe. Almost everyone agrees that restoration is the most scientifically rigorous and environmentally and economically reasonable way to proceed. Nonetheless, there is a lot of poorly informed speculation about how it should be applied, by activists, members of the lay public, and even some within the academic community. Some of the arguments are founded on differences of opinion about desirable ecological conditions for western forestlands. Others stem from differences of opinion about whether public lands should be used for consumptive resource use, especially by wood products or grazing interests, or for individual uses and/or non-consumptive uses.

We are now at the point where we must move beyond ideologically based rhetoric to apply restoration fuel treatments in such a way that we can simultaneously work to solve fire problems and restore ecosystem health.

We have a solid body of scientific information to design and test large-scale forest restoration that will protect people, communities and the forest. This knowledge should be synthesized into management guidelines that are scientifically solid and immediately useful to managers and others who want to work to solve the crownfire problems of the West.

An important outcome from the guidelines will be a set of performance standards. Since 2001 many treatments have been applied on federal land, however, the effectiveness of many of these treatments to reduce fire risk has been questioned. Treatments that do not provide long-term protection against unnatural wildfire and repair the forest are a waste of money and effort.

Step Two: Reduce Conflict by Using an Adaptive Management Framework To Design and Implement a Series of Treatments

A variety of restoration options is being investigated at research sites across the West, applying treatments developed locally by scientists, managers, environmental activists, resource users, and members of the public. It is important to continue and expand the research effort, but at the same time it is imperative that we accept the responsibility to apply the extensive knowledge we already have, before more forests are lost.

The actions that others and I believe should be taken to restore the ecological integrity of ponderosa pine forests and therefore reduce the threat of crown fire are well known. I do not advocate a “one-size fits all approach” but rather crafting management approaches based on the location under analysis, its presettlement condition, and its relationship to the broader ecosystem and the communities that live

within it. In this sense, ecological restoration should not be viewed as a strict recipe or a rigid set of prescriptions.

The safest way to advance treatment design and implementation is to apply scientifically rigorous adaptive management principles. By scientifically rigorous I mean that the design of landscape scale restoration treatments must be based on:

1. Comprehensive awareness of solid science (not ideologically driven, selective citation of existing knowledge).
2. Implementing large-scale, adaptive management experiments to test ideas.
3. Monitoring fundamental parameters to determine treatment effectiveness.
4. Objective scientific analysis of the results.
5. Further adaptation of management experiments suggested by these monitoring observations.
6. Sharing, publicizing and publishing results for lay audiences, policy makers, resource management professionals, and the scientific community.

The scientific community could help this effort by developing monitoring protocols that are simply applied, affordable, understandable to land managers and that can be quickly synthesized to inform adaptive management.

Consideration should be given to a new form of environmental review and approval for projects committed to adaptive management. If the project design is sufficiently rigorous to test different approaches that will then be used to improve the design of the next set of approaches—and monitoring is actively employed—then perhaps a series of actions could be approved in advance under one environmental review. For example, the Greater Flagstaff Forest Partnership has spent years in the environmental review process to implement the first phase of a ten-year effort that will protect the city and surrounding communities. The second phase is now going through the same long environmental review process even though it is explicitly incorporating many lessons learned from the first phase and was developed with full community participation. Perhaps something can be done to allow projects that show this much rigor, community involvement, solid science and monitoring a simplified review.

Step Three: Help Rebuild Public Trust in Land Management Agencies by Supporting a Broad Variety of Partnership Approaches for Planning and Implementing Restoration-Based Fuel Treatments

Some individuals and organizations have obstructed forest restoration because they do not trust the land management agencies to apply good ecologically based management in the forest. Restoring respect and trust in the land management agencies is central to breaking the logjam. One approach to rebuilding this trust is through the meaningful engagement of members of forest communities and other stakeholders.

Numerous community-based models exist. Each is unique because of the community it represents and the priorities each community defines (jobs, economic, environmental etc). Congress and the federal agencies should continue to support and respect inclusive approaches to designing and implementing forest treatments.

WHAT CONGRESS CAN DO

There are several constructive steps Congress and the federal agencies can take to improve our current situation.

1. Strategically located landscape scale treatments to reduce fire threat and restore the ecological integrity of forests should become the single biggest priority of forest management policy and the land management agencies working in the Intermountain West.
2. Congress should continue its commitment to provide adequate resources to the agencies to maximize restoration treatments that will prevent wildfires. In turn, the agencies must act swiftly to implement preventative treatments. A simple extrapolation of recent rates of increase in crown fire damage suggests that within the next decade acres burned could easily double whereas costs for fire suppression, rehabilitation of burned area, lost resource values, and compensation could average five to ten billion dollars annually.
3. Wherever possible, Congress and the land management agencies should support the positive collaboration of partnerships to design ecologically based restoration treatments
4. Support the implementation science-based restoration treatments, adaptive management approaches and restoration guidelines to ensure quality control.
5. Consider adding a new environmental review process that simplifies the approval of projects using adaptive management, monitoring, solid science and community involvement.

Senator Jon Kyl, with the support of Secretary of the Interior Gale Norton and Forest Service Chief Dale Bosworth, has recognized the need for good science and has actively supported the work of the Ecological Restoration Institute at NAU. His support for science-based solutions has allowed us to design, test, and refine restoration treatments that are the underpinning of the development of socially acceptable approaches to forest restoration underway in Flagstaff and other forest communities.

We are at a fork in the road. Down one fork lies burned out, depauperate landscapes that are a liability for future generations. Down the other fork lies health, diverse, sustaining landscapes that will bring multiple benefits for generations to come. Inaction is taking, and will continue to take, us down the path to unhealthy landscapes, costly to manage. Scientifically-based forest restoration treatments, including thinning and prescribed burning, will set us on the path to healthy landscapes, landscapes like the early settlers and explorer saw in the late 1800s.

Thank you very much for asking me to appear before the Committee.

Senator WYDEN. Mr. Schulke.

**STATEMENT OF TODD SCHULKE, FOREST POLICY DIRECTOR,
CENTER FOR BIOLOGICAL DIVERSITY**

Mr. SCHULKE. My name is Todd Schulke. I am the forest policy director for the Center for Biological Diversity. Thanks for letting me be here.

I sit on the Arizona Governor's Fire and Forest Health Advisory Committee, Senator Bingaman's Collaborative Forest Restoration Advisory Committee, and the Southern New Mexico National Fire Implementation Team.

I would like to start by saying that, though there have been tragic losses in fires this year, there are also seeds of agreement that can hopefully grow into an effective and efficient and ecologically sound approach to protecting forest communities.

There are many solid efforts happening around the country, with diverse groups of people working together to address the risks of living in forests that depend on fire.

I would like to mention a few of these efforts. In southwestern New Mexico, the National Fire Plan implementation team brought together rural citizens, conservationists and agencies to set priorities for community protection. Notably, efficient utilization of fire plan funding provides cost share grants to homeowners to implement effective home protection treatments where they are needed the most, in their backyards. More funding and emphasis should be applied to this vital community protection program.

The Collaborative Forest Restoration Project developed by Senator Bingaman has proven to be a winning combination of diverse interests, innovative restoration methods and direct funding for restoration. The Center for Biological Diversity, who I work for, is involved in a 1,400-acre CFRP project near Silver City, New Mexico, designed to develop effective ecologically based prescriptions, provide restoration jobs and facilitate utilization of restoration by-products. We recommend increasing funding for programs like CFRP.

Finally, at the national level, there is a collaborative effort to develop restoration guidelines that involves a broad spectrum of conservationists and community fire groups. One outcome of this is a set of restoration principles that incorporate ecological, economic, and social principles to provide a comprehensive approach to community protection and restoration. This illustrates that stakehold-

ers with a wide range of viewpoints can agree on community protection and forest restoration.

Of course, this is not to say there is complete agreement on all issues. There is still deep disagreements concerning logging of large and old trees, particularly in the back country.

In the Gila National Forest, the Sheep Basin Restoration Project illustrates the disagreement that keeps us from moving beyond debate and to focusing our efforts into action. The Sheep Basin project emerged from an early collaborative effort initiated by local conservationists and supported by Senator Bingaman. The watershed chosen is in Catron County, New Mexico, a nationally known hotbed of environmental conflict.

After years of dialogue, a several-thousand-acre project was identified for thinning and other restoration activities. Conservation groups and the Catron County Citizen's Group agreed that the project should proceed with a diameter cap limiting logging of large trees. However, the Gila National Forest disregarded this agreement, choosing an alternative that will log large trees, though over 90 percent of the area has trees below 12 inches.

The decision to log large trees, up to 35 inches more than 25 miles from the nearest community, resulted in an appeal. By ignoring this agreement, the Forest Service chose controversy over cooperation.

Another relevant example of this disconnect is the Baca Timber Sale on the edge of the recent Rodeo fire. This sale was proposed for an area where 95 percent of all the trees were below 12 inches. But the Forest Service wants to log over 25 percent of the volume from trees over 16 inches.

The Sitgreaves National Forest where the Rodeo fire burned is the most heavily logged forest in the Southwest. The Rodeo burn area alone contains over 2,100 miles of logging roads.

The Rodeo fire began on the heavily logged White Mountain Apache Reservation and accounted for 50 percent, or 60 percent of the total fire area. The Baca Timber Sale only covered two percent of the Rodeo fire area. The bottom line is that logging has proven to be ineffective in stopping big fires like the Rodeo.

Much has been made about the Center's challenge of this timber sale, but the truth is that twice the Forest Service and the community of Forest Lakes requested release of areas for community protection treatments and we readily agreed both times to fuels reduction on over 1,300 acres.

The most frustrating thing about this is that the science is clear about what is needed to protect homes and communities. Focusing fuels reduction on areas near communities is clearly the most effective and efficient method to saving homes and lives.

The science shows treatment of an area up to 500 meters is justifiable for home protection, firefighter safety and other community values. And the area beyond 500 meters should be considered wildland forest and subject to restoration treatments.

Some solutions, there is a broad agreement that prescribed burning is effective for reduction of forest fire intensity and extensive prescribed burning programs should be implemented when it will be safe and effective.

There is also growing agreement on the benefits of fuels reduction focused on small diameter trees, brush and ground fuels. Consider quotes by prominent fire ecologists from around the West, "Fuel treatments that reduce basal area or density from above, i.e. removal of the largest stems, will be ineffective within the context of wild fire management." That is from Omi and Martinson at Colorado State. "Thinning from below to remove smaller trees, e.g., those eight to ten inches in diameter or less, greatly reduces the intensity with which fires will burn through a forest," Dr. Penny Morgan, University of Idaho.

In the Southwest, groups including the Center for Biological Diversity, the Southwest Forest Alliance and the Sierra Club, agree that thinning trees smaller than 12 inches should be the priority following an aggressive community protection program.

There is a dearth of empirical research concerning the effects of thinning on fire behavior. More work needs to be done in this area before undertaking landscape scale thinning.

However, it will take years to complete effective fuel reductions near communities. During this time, it will be important to implement pilot forest restoration projects in the back country to develop the knowledge base necessary to avoid causing ecological harm.

In closing, I would like to say it is a waste of time to continue the argument over timber sales that log large trees. There is a tremendous amount of work to be done in the areas where there is strong scientific and social support.

All parties involved in these complex and challenging issues need to begin working together in this emerging zone of agreement and get on with the job of protecting communities from the risk of fire.

[The prepared statement of Mr. Schulke follows:]

PREPARED STATEMENT OF TODD SCHULKE, FOREST POLICY DIRECTOR,
CENTER FOR BIOLOGICAL DIVERSITY

My name is Todd Schulke. I'm the forest policy director for the Center for Biological Diversity. I sit on Arizona Governor Jane Hull's Fire and Forest Health Advisory Committee, Senator Bingaman's Collaborative Forest Restoration Program Advisory Committee and the Southern New Mexico National Fire Plan Implementation Team. I also live with my 2 young sons and wife in a fire prone ponderosa pine forest on the Gila National Forest in southwestern New Mexico.

SUCCESSFUL COMMUNITY PROTECTION

I'd like to start by saying that though there have been tragic losses in fires this year there are also the seeds of agreement that can hopefully grow into an effective, efficient, and ecologically sound approach to protecting forest communities at risk from forest fires. There is growing awareness that forest communities need to learn to live with fire as a critical natural process rather than attempt to eliminate it at any cost. There are many solid efforts happening around the country, with diverse groups of people working together to address the risk of living in forests that depend on fire.

I'd like to mention a few of these efforts. In southwestern New Mexico the National Fire Plan Implementation Team, initiated by NM State Forestry, brought together rural citizens, conservationists, agencies, local governments, and rural fire departments to set priorities for community protection. This group has developed a coordinated response to community fire risk. Most notably, efficient utilization of National Fire Plan funding provides cost share grants to homeowners to implement effective home protection treatments where they are needed most—in their backyards. More funding and emphasis should be applied to this vital community protection program.

In Eastern Washington, The Lands Council is knocking on doors in rural communities offering information and assistance to homeowners interested in homesite pro-

tection and creating defensible space. They are using a National Fire Plan grant to put this critical educational and practical assistance directly into the hands of the homeowners that need it the most.

In New Mexico, the Collaborative Forest Restoration Program (CFRP) developed by Senator Bingaman has proven to be a winning combination of cooperation between diverse interests, experimentation with innovative restoration methods, and direct funding for forest restoration on the ground. The Center for Biological Diversity, is involved in a 1400 acre CFRP restoration project near Silver City, NM, designed to develop effective, ecologically-based prescriptions, provide long-term stable restoration jobs, and facilitate utilization of small diameter restoration byproducts. This project is also part of the Ford Foundation Community Forestry program that supports community based approaches to forest restoration. We recommend increasing funding for programs like CFRP that provide direct restoration funding to innovative projects on the ground.

Finally, at the national level, there is a collaborative effort to develop restoration guidelines that involves a broad spectrum of conservationists and community forest groups. One of the most important outcomes is a set of restoration principles that incorporate ecological, economic, and social principles to provide a comprehensive approach to community protection and forest restoration. The initial list of endorsers including the Center, American Lands Alliance, the Forest Stewards Guild, The Wilderness Society, and the National Forest Protection Alliance illustrates that stakeholders with a wide range of viewpoints can agree on effective approaches to community protection and forest restoration.

I'd like to point out that many of the names mentioned in the stories I've just shared are also some of the groups being demonized by the Forest Service and various political figures for challenging timber sales. But when you look closer you see that these organizations are committed to effective community protection strategies.

Timber Sale Challenges

Of course, this is not to say there is complete agreement on these issues. If the amount of finger pointing spawned by recent forest fires is any indication, we have some distance to go before all our energy will be focused on solutions. There are still deep disagreements concerning logging of large and old trees, particularly in the backcountry, far away from homes.

On the Gila National Forest the Sheep Basin "Restoration" Project illustrates the basic disagreement that keeps us from moving beyond debate and to focusing our efforts into action. The Sheep Basin project emerged from an early collaborative watershed planning process that was initiated by local conservationists and supported by Senator Bingaman. The watershed chosen is in Catron County, N.M.—a nationally known hotbed of environmental conflict. The idea was to move beyond this conflict to watershed restoration that benefited all stakeholders.

After years of dialogue an astonishing agreement was reached. A several thousand-acre project was identified for thinning and other restoration activities. Conservation groups and the Catron County Citizen's Group (interested in utilization of restoration by-products) agreed that the project should proceed with a diameter cap limiting logging of large trees. However in an equally astonishing move the Gila National Forest disregarded the agreement by choosing an alternative that will log large trees, though over 90% of the trees in the area are below 12" and all other parties agreed there were effective methods to meet both ecological and economic objectives.

The decision to log large trees (in this case healthy trees up to 35" more than 20 miles from the nearest community) resulted in an appeal. By ignoring this unusual agreement the Forest Service chose controversy over cooperation. This story outlines the basic disconnect between the Forest Service and conservation groups as well as many rural communities that are working toward ecologically sound, effective solutions to community protection.

Another relevant example of this disconnect is the Baca Timber Sale, on the edge of the recent Rodeo fire in N. Arizona. This sale was proposed for an area where 95% of all trees were below 12". But the Forest Service wants to log over 25% of the volume from trees over 16". This same area has also recently been logged under the Jersey Horse Timber sale. Further, the Sitgreaves National Forest is the most heavily logged forest in the Southwest. The Rodeo fire burn area alone contains over 2100 miles of logging roads.

The Rodeo Fire began on the heavily logged White Mt. Apache Reservation with reservation land accounting for over 50% of the total fire area. The Baca Timber Sale area covered only 2% of the Rodeo fire area, burning only toward the end of the fire. It's impossible to say that the challenge to the Baca sale played a significant role in the Rodeo Fire saga. The bottom line is logging has proven to be ineffec-

tive in stopping big fires like the Rodeo, particularly during 100-year drought conditions.

Much has been made about the Center's challenge of this timber sale but the truth of the matter is that twice the Forest Service and the community of Forest Lakes requested release of areas for community protection treatments. We readily agreed both times to fuels reduction on over 1300 acres.

In the case of the Rodeo fire it would have made much more sense to implement aggressive home protection treatments near communities rather than last ditch efforts in the face of a drought driven fire. The residents that lost their homes and those that lived in fear that it would happen to them, would have been much better served if the Forest Service had focused on protecting their homes proactively rather than trying to push through another timber sale.

The most frustrating thing about this conflict is that the science is clear on what is needed to protect homes and communities. Focusing fuels reduction on areas near communities is clearly the most effective and efficient method to saving homes and lives. The science shows treatment of an area of up to 500 meters is justifiable for home protection, fire fighter safety, and other community values. The area beyond the 500 meters should be considered wildland forest and subject to restoration oriented treatments such as prescribed burning. Given the limited resources available for community protection it only makes sense to proceed with an aggressive community protection program that focuses on the wildland urban interface where there is both social and scientific agreement.

When one sifts through the rhetoric about who challenged what projects it becomes obvious that the vast majority of all fuels reduction such as wildland urban interface work and prescribed burning has gone unchallenged even though virtually all of these projects are eligible for litigation. Also the large numbers of projects approved under categorical exclusions get through this NEPA shortcut precisely because generally all parties agree these fuels reduction efforts are not controversial. The trend here is obvious, timber sales that log large trees get challenged—legitimate fuels reduction projects do not.

SOLUTIONS

There is broad agreement that prescribed burning is an effective method for reduction of forest fire intensity. Reintroduction of fire is also critical to the long-term enhancement of ecological integrity in fire dependent forest. An extensive prescribed burning program should be implemented when it will be safe and where it will be effective.

There is also growing agreement on the benefits of fuels reduction focused on small diameter trees, brush and ground fuels to lessen the severity of forest fires and to facilitate reintroduction of beneficial fires where appropriate. Consider quotes by prominent fire ecologists from universities around the West:

"... 'fuel treatments' that reduce basal area or density from above (i.e. removal of the largest stems) will be ineffective within the context of wildfire management."—from "Effect of Fuels Treatment on Wildfire Severity" (Omi and Martinson 2002), Western Forest Fire Research Center at Colorado State;

"... clearing underbrush and dense thickets of smaller-diameter trees through prescribed burns is more effective at preventing catastrophic fires than cutting down more fire-resistant large trees. 'It's clearly the small-diameter trees that are the problem,' he said, citing trees 8 to 10 inches in diameter."—Dr. Tom Swetnam, director of the Tree Ring Lab at U of AZ (Arizona Daily Star, June 25, 2002);

"The small trees and surface fuels contribute most to fire risk, as they provide 'ladders' for the fires to climb from the surface into the tree crowns. Forests where 'ladder fuels' are limited and tree crowns (or the crowns of groups of trees) are separated won't support a crown fire. Thus, 'thinning from below' to remove the smaller trees, e.g. those 8-10 inches in diameter or less, greatly reduces the intensity with which fires will burn through a forest."—Dr. Penny Morgan, University of Idaho, House Resources Committee Hearing, July 11, 2002.

In the Southwest groups including the Center for Biological Diversity, the Southwest Forest Alliance, and the Sierra Club agree that thinning trees smaller than 12 inches particularly near communities should be the priority following an aggressive community protection program. These groups have pledged not to challenge wildland urban interface projects that focus on thinning small trees.

There is a dearth of empirical research concerning the effects of thinning on fire behavior. Omi and Martinson found 6 relevant papers—2 of those studies from New Jersey and 1 from Florida. Clearly, more work needs to be done in this area before undertaking landscape scale thinning. However it will take several years to com-

plete effective, focused fuels reductions in areas near communities. During this time it will be important to implement pilot forest restoration projects in the backcountry to develop the knowledge base necessary to avoid causing widespread ecological harm.

In closing, I'd like to say it is a waste of time to continue the argument over ecologically destructive and scientifically unsupportable timber sales that log large trees. There is a tremendous amount of work to be done in the areas where there is strong scientific and social support. All parties involved in these complex and challenging issues need to begin working together in this emerging "zone of agreement" and get on with the job of protecting communities from the risk of fire.

Thank you.

Senator WYDEN. Very good.

Senator WYDEN. Senator Kyl.

Senator KYL. Thank you, Mr. Chairman.

Let me start with you, Mr. Schulke. Is it your position that—or the position of your organization that these projects for restoration should include, should always include diameter caps on the size of trees that are removed?

Mr. SCHULKE. Yes, sir. We found that the only way to build the kind of consensus that we need to move forward is to provide some assurances that large trees will not be logged purely for commercial reasons.

Senator KYL. Okay. And do you have a specific diameter cap that you focus on most of the time?

Mr. SCHULKE. We are recommending 12 inches as a place to start.

Senator KYL. Okay. Mr. Chairman, I think that is the problem and that is the rub.

Let me ask Dr. Covington now, who is the scientist among us, what his science shows with respect to the kinds of material that need to be removed and whether a diameter cap is ordinarily an appropriate way to limit the treatment.

Dr. Covington, what is your view on that?

Dr. COVINGTON. From an ecological restoration perspective, diameter caps do not make any sense fundamentally. What we focus on is trying to reestablish, as close as possible, the tree structure and pattern that is natural for a site.

That involves conserving all of the old growth trees, of course, leaving sufficient larger diameter post-settlement trees to re-establish the pre-settlement structure, and then thinning the balance of the trees and removing them from the site, if it is a site that is already roaded. So the diameter cap issue from an ecological restoration standpoint is pretty much irrelevant.

Senator KYL. Is the more relevant criteria the carrying capacity of the land?

Dr. COVINGTON. Well, yes. I think that is a good way to look at it, is that when you look at the forest structure that was present when fires were burning frequently, on some sites in Ponderosa pine forest, for example, it is 20 to 30 trees per acre. On others, it is 60, maybe 70 trees per acre averaged over large areas. That would be the carrying capacity for the land under natural burning conditions.

Now, for every tree that you leave in excess of the natural tree density, it comes at a cost. And at first, those costs are just in understory production and wildlife habitat. So by understory production, I am talking about the grasses and wild flowers.

Eventually, as you leave more and more trees, then you will cross the boundary where the consequences are fire behavior changes. And so the first and most striking declines are actually ecosystem health declines of leaving excess trees. They are not fire behavior declines.

By the time you get to leaving somewhere on the order of, from looking historically, something like three to four or five times as many trees as the carrying capacity of the land has, that is when you start seeing crown fire behavior.

And then as the landscape closes in, then you start seeing the larger and larger crown fires that we have been seeing for the past 60 years.

Senator KYL. So if an acre of land, for example, has a fair number of, let us say, 18-inch diameter trees, in addition to some that are much larger than that and a whole lot that are much smaller than that, to prescribe the right kind of treatment to restore the ecological balance of that area, you may be calling for the elimination of a number of those trees, of those trees of 16, 18 inches in diameter?

Dr. COVINGTON. But that—a number of those—a small number typically, but a number of those trees are in that larger diameter class. I can give you a good case, an example of this.

At Mount Trumble working with the Bureau of Land Management, one of the areas—one of the first areas that we worked on up there was an area that had been a wet grass meadow type area that had been invaded by trees after fire exclusion and overgrazing had been started on the area.

Now, this area was chock full of trees that were in excess of 16 inches. The largest one was about 28 inches, as I recall, in diameter. But it was a tree that was only 90 years old and—but was growing in a very wet area.

Now, from a restoration standpoint, the trees that had invaded that wet grassy area, all of them needed to be removed, because that is very important habitat from a landscape scale. So in that circumstance, we wound up removing—the Bureau of Land Management wound up removing a substantial number of trees that were 16 to 18 inches, and some of them close to 30 inches in diameter. That is the exception on the landscape.

Generally when you get on the upland portions of the landscape, there may be only a handful of trees in that 16- to 25-inch diameter that would be removed. Ideally, what we seek to do is leave the largest and most vigorous diameter trees that we can and close to places where trees were growing in the pre-settlement forest.

Senator KYL. Mr. Chairman, I ask just one more question on this round, and ask my staff to put on the easel a series of three photographs and ask Dr. Covington to describe what these three photographs depict.

Maybe starting with the one that has the mechanical thinning before a prescribed burn. All three of these photographs are pictures of an Arizona scene in which an October prescribed burn has taken place.

Dr. COVINGTON. Yes. This photo is from one of the many experimental areas that we have been examining, a variety of restoration

treatments. This one, this particular one is what we call a full restoration treatment.

So here we have left trees. We have left about a 50 percent excess of trees above the natural carrying capacity of this site. We leave extra trees to account for wind breakage, winds, snow damage, or possible mortality of the trees in the ensuing 100 to 200 years of recovery for the ecosystem.

In this site you can see that with the full restoration treatment, the prescribed burn has fire behavior that is very much like natural fire behavior, flame lengths typically of six inches to maybe eighteen inches, the fire creeping through the forest. That is the kind of fire that we would like to see in our western dry forest types.

Can I have the next one please, Diedre?

Senator KYL. Not that one. The next one.

Dr. COVINGTON. Not that one, the one behind it. There we go.

This is one of the treatments that is a minimal thinning treatment. And in this treatment, we removed trees that were primarily in the below 9 inches diameter and close to old growth trees. So this was the minimal amount of thinning that we estimated was needed to prevent crown fire from occurring in the summer under moderate conditions, not drought—the droughty, windy condition that we have had this season.

You can see the flame lengths are much higher. They average 4 feet to 6 feet. And some of this fire even in October did get into the canopies of the trees, but it did not support a crown fire.

This last one then is a prescribed burn only treatment. This is what I started—the kind of treatment that I started working on in 1975. You can see why I rapidly converted over to mechanical treatments before prescribed burning.

Here in a fall fire, you see—these are replicated experimental plots in Arizona, and you can see that the fire behavior even under very moderate conditions is severe in patches. And here you see the flame heights of 20 to 30 feet in October and fires getting into the canopies of the trees. And clearly this will support crown fires.

Senator KYL. Mr. Chairman, I will just conclude this round by noting that—if my staff could also then just hold up those three photographs again, so that you can see them. It goes to the last point that I questioned Secretary Rey about. If we hope to treat our forests through prescribed burns only, we are not going to be successful.

The one that you see on the easel right now, Mr. Chairman, is a prescribed burn. And it is not working.

And if you do the mechanical thinning ahead of time as in the first one that was depicted—if you would just show that one again, Diedre—no, the first one. Here is where you have had mechanical thinning.

As Secretary Rey said, that takes longer to get approval for, but it obviously works a whole lot better in terms of saving the forest. So that is why it seems to me that eventually we are going to have to develop a National Fire Plan that is much more conducive to mechanical thinning as the first treatment, with the prescribed burn occurring after that mechanical thinning.

Thank you.

Senator WYDEN. Let me just touch on one point. I am going to sort of ponder what you have said, Dr. Covington, you have said, Mr. Schulke, and obviously you have differing views. And under normal circumstances what Congress does is it says, "Here is a couple of decent fellows and let us try both approaches," and just see what works and what does not.

I will tell you what I feel most strongly about is what Ms. Jungwirth is really saying is that if Congress does not hustle here, there is not going to be any infrastructure to try any of these kinds of things. I mean, we have seen contracts cancelled already because of the raid of the firefighting, you know, money.

The Chairman and Senator Craig have some interesting ideas about micro-businesses, which strike me as attractive. We are going to have a hearing on that next week, something I think we can all support, but that will have to get authorized. That will have to get appropriated. We are a long way down the road.

I am going to turn this over to Senator Kyl and let him ask anything else he wants to and wrap this up. But I think that, in a lot of ways, this has been a useful panel to end with, because the debate about the science is going to continue. And I have heard you, Dr. Covington and Mr. Schulke, for the first time, and I think you heard that there is going to be a very significant bipartisan effort.

And Senator Kyl and I in particular are going to work on restoration issues and incentives to make it attractive for people to work together, but none of it is going to do a whole lot if what Ms. Jungwirth is concerned about comes into being. And that is that there is just no infrastructure out there to do anything. So in a sense, you all because of your patience have given us a good way to wrap this up.

And I am going to turn this over to Senator Kyl and let him ask anything else and to adjourn.

Senator KYL [presiding]. Thanks, Mr. Chairman.

Just for the benefit of the staff that will remain, I will just have one question of Dr. Covington that goes directly to the point you just made, that very kind of community cooperative effort is being actually funded through some of the pilot project funding that we have established through both the Rocky Mountain region and also direct funding to the ecological institute that Dr. Covington chairs.

Perhaps you could describe very briefly the people that are involved in the partnership and the things that they are looking into, including the micro-industries. Go ahead.

Dr. COVINGTON. Yes. The one that comes to mind, the biggest that we have going is the Greater Flagstaff Forest Partnership, and that is a collaboration of about 15 organizations that are working with the Forest Service and with State lands and with Northern Arizona University in a collaborative way to implement and test a variety of restoration treatments.

And these include some of that followed diameter limits and—as well as the full restoration treatments and treatments in between there. And this is where some of the information came from that I was pointing out on these slides over here.

So these, our basic approach, what—in working with Mount Trumble, the Bureau of Land Management, with the Grand Canyon National Park, the Kibab, the Apache State Lands and all the

groups that we have worked with, including the Southwest Forest Alliance, is to, "Let us go ahead and try these treatments and then monitor them and see which treatments are superior to which other treatments."

Although I did quite a bit of theoretical ecology in my youth, in my impetuous youth, and a lot of modeling, I rapidly discovered that really what you have to do with whole ecosystems is you have to experiment with whole ecosystems. You have to try things and see if they work, and yet do so in a scientifically rigorous way. And this is the essence of adaptive management.

It recognizes that we will never know in theory whether a 5-inch diameter cap or a 9-inch or an 18-inch or what, whether burning on a 3-year cycle or a 10-year cycle, or a 5-year cycle will do to the ecosystem until you actually try it on the ecosystem.

So that is the Greater Flagstaff Forest Partnership, the Mount Trumble Restoration Project, all of the projects that we have been working on. We spend a lot of effort in carefully using the best science available to design the experiment, good, rigorous statistical framework for sampling and for analyzing those data, and then, of course, we submit those data to referee journals for scientific publication.

But one thing that we do in the Ecological Restoration Institute that is often lacking is that we spend a lot of our resources in converting this information to a lot of people, which is kind of scientific mumble-jumble, into practical advice that can be used in designing and implementing restoration treatments.

So that is the basic approach that we have taken at our institute. It is one that I know the Center for Biological Diversity is and has been working with folks down in the Gila National Forest area in the same way, trying to get rigorous data and then analyze those data and see what the consequences are, not just for fire behavior, but for comprehensive ecosystem health.

Senator KYL. I thank you. Do any of you have anything else you would like to say?

[No response.]

Senator KYL. And I might say this, that while I am not authorized to say it, the record will be kept open. I am sure that traditionally we do keep the record open so that if you would like to submit statements, you are welcome to do that. And naturally, the committee will look forward to working with you as we continue to work on this problem, so you might expect to be communicated with by us in the future too.

If not, I thank all of you for being here. And if there is nothing further, this hearing is adjourned.

[Whereupon, at 5:38 p.m., the hearing was adjourned.]